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Justitie, Fort Orange

MINUTES OF THE COURT

OF

FORT ORANGE AND BEVERWYCK

1657-1660

Translated and edited

by

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Archivist, Division of Archives and History

VOLUME II

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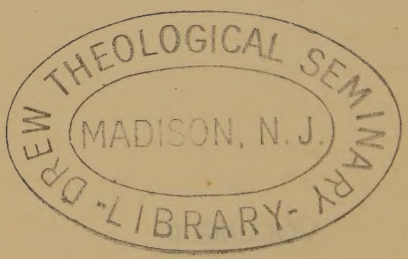

PREFACE

The minutes of the court of Fort Orange and the village of Beverwyck, of which translations appear in the present volume, consist of four parts, each of which contains the proceedings of the court for a single year. For the years 1657 and 1660, there are no original minutes in the Albany county clerk's office. Engrossed copies of these minutes, however, are contained in two separate records which before the Capitol fire of 1911 were bound as parts 2 and 3 of volume 16 of the New York Colonial Manuscripts, in the New York State Library. These records were fortunately salvaged from the fire in very good condition and from them the present translations have been made.

The minutes for 1658–1659 make up the first 211 pages of an original record in the Albany county clerk's office which on the back is lettered: *Court Minutes* 2, 1658–1660, and underneath, in larger type, *Mortgage* No. 1, 1652–1660. A translation of these minutes, made by Professor Jonathan Pearson, was among the manuscripts which in 1914 were presented to the New York State Library by his sons. With the exception of these minutes, these manuscripts have since been published under the title of *Early Records of the City and County of Albany and Colony of Rensselaerswyck*, volumes 2–4. The present volume does not follow Professor Pearson's manuscript translation of these court minutes, but contains a new translation, which is uniform in character with that of the earlier minutes that are printed in the first volume of this series.

Among the minutes that are printed in this volume there are proceedings of a number of important conferences with the Indians which were held at Fort Orange during the first Esopus War. Translations of these proceedings were published by Mr Berthold Fernow in volume 13 of the *Documents Relating to the Colonial History of the State of New York*. They have been carefully revised for the present work, in which they appear

in their proper chronological places. The same applies also to a number of ordinances issued by the court of Fort Orange and Beverwyck, of which translations differing in some cases materially from the present are included in the *Laws and Ordinances of New Netherland*, 1638–1674, compiled by Dr E. B. O'Callaghan.

In connection with the court minutes of 1657 and 1658, attention is called to the fact that a few leaves, containing memoranda in the handwriting of Commissary Johannes La Montagne of various complaints that were made to him in those years, have by mistake been inserted after page 136 in volume 2 of Deeds, in the Albany county clerk's office. A translation of these memoranda, erroneously ascribed to Johannes Dyckman, will be found on pages 245–47 of volume 1 of the *Early Records of Albany*, published by Professor Pearson in 1869.

February 12, 1923

A. J. F. VAN LAER

PART I

Court Minutes of Fort Orange and Beverwyck

1657

[33][1] Ordinary Session held in Fort Crange, January 9 Anno 1657

President, J. La Montagne

Rutger Jacobsen	Jacob Schermerhoorn
Anderies Herbertsen	Philip Pietersen

Lambert van Valckenborch, plaintiff, against Henderick Claessen and Gerrit Willemsen, defendants.

The plaintiff complains that the defendants beat him and his wife in his own house.

The defendants deny it and claim that the plaintiff chased them with a naked rapier out of his house and pursued them to the center of the fort.

The court orders the parties respectively to prove their assertions.

Jacob Janssen Schermerhoorn, plaintiff, against Reyer Albertsen, defendant.

The plaintiff says that the defendant sicked his dog on his goats and killed one of them.

The defendant denies having done so.

The plaintiff produces as a witness Andries de Vos, who declares that he saw it.

The court condemns the defendant to pay the plaintiff twelve guilders for the goat which was killed.

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[1] As stated in the preface, the following minutes are translated from a copy of the original court record, which forms Part II of volume 16 of the series of New York Colonial Manuscripts in the State Library. Pages 1-32 contain copies of the minutes for October 4-December 12, 1656, which are printed in the preceding volume.

[34] Foppe Barensen, plaintiff, against the officer and Willem Brouwer, defendants.

The plaintiff complains that the officer took him into custody without cause.

The officer maintains that he took the defendant into custody on the complaint of Willem Brouwer, who claimed that the defendant had committed violence in his own house.

Willem Brouwer maintains that the complaint is true.

The plaintiff replies that he has committed no violence in the defendant's house, but that on the contrary Willem Brouwer forcibly drove him out of the house with a broomstick, because he demanded payment for a pair of boots which he had sold to him, or wanted to take the measurements for a pair of new ones.

The court orders the plaintiff and Willem Brouwer, the defendant, to prove their statements.

Foppe Barensen, plaintiff, against Cornelis Vos, defendant.

The parties having been heard several times, it is ordered by the court that each shall choose a referee to settle their dispute in an amicable manner.

Immediately, the plaintiff chose for himself Stoffel Janssen and the defendant Anderies de Vos, to whom the court added Rutger Jacobsen, as mediator, to decide the question at issue to the best of their knowledge.

[35] Lowies Cobussen, as attorney for Jan Peeck, plaintiff, against Frans Barensen Pastoor, defendant.

The plaintiff says that he caused ten beavers in the hands of the defendant to be attached which the defendant in spite of the attachment paid to Pieter Bronck.

The defendant maintains that he paid the said beavers by order of the court.

Pieter Bronck, appearing before the court, acknowledges that he received the beavers in payment of a debt due by Johannes Dyckman.

The court orders the wife of Johannes Dyckman to pay the sum of eighty-four guilders to Jan Peeck, which she did immediately by an order on Commissary Johannes La Montagne.

Frans Barensen, plaintiff, against Marcelis Janssen, defendant.

The plaintiff demands of the defendant an accounting of the farming of the tapsters' excise, in which he was a partner.

The court, having heard the parties, orders the defendant to render an accounting to the plaintiff before two referees to be chosen by them respectively, which referees were chosen by the parties at once, to wit, Henderick Jochimsen and Willem Bout, who are hereby authorized to examine the account of the plaintiff and to settle the difference to the best of their ability.

[36] Rutger Jacobsen, plaintiff, against Claes Teunissen, defendant.

The plaintiff demands delivery of the defendant's house, sold to him by the defendant, in payment of a certain sum due to him by Jacob Luyersen,[1] deceased.

The defendant acknowledges that he is ready to do so.

The officer of the court, as protector of the rights of orphans, objects to the delivery and request that curators be appointed to preserve the rights of the surviving children of Jacob Luyersen, deceased.

The court appoints Jan Verbeeck and Evert Wendel curators to the aforesaid children.

The magistrates of this court, plaintiffs, against Henderick, the baker, defendant.

Default. The defendant failing to appear, default is entered against him.

Pieter Meessen requests a lot for a garden.

The court, after inspection of the lot, will accommodate the petitioner according to the situation of the place.

Teunis Cornelissen requests permission to build another house on his lot.

The court will take the matter under advisement.

Claes Hendericksen, plaintiff, against Gerrit Slechtenhorst, defendant.

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[1] Jacob Luyersen, of Wageningen, Gelderland, the ancestor of the Kuykendall family .

The plaintiff says that the defendant has forbidden him to build on his own ground, to which the defendant replies that the ground on which the plaintiff is building belongs to him as lessee, maintaining that no one can build thereon without his consent during the term of his lease.

[37] The plaintiff shows a lease in the defendant's handwriting, in the margin of which is written that the plaintiff is to have the use of the yard at present in controversy.

The defendant claims that such use was granted to the plaintiff only for the purpose of putting his wood there and for bleaching, which he offers to prove.

Whereupon the defendant, on the 12th of December, produced before the court Jan Dereth, as a witness, who testified that he was present when the copy of the lease between the parties was changed or added to and that he heard the defendant simply grant the use of the yard in question to the plaintiff, but that he did not hear anything about consent to build thereon.

The court, having several times heard the parties in their dispute and examined the lease made between them and the additions thereto, decrees that the defendant, Gerrit Slechtenhorst, is to have the use of the yard now in controversy without molestation, according to the lease; consequently, that the plaintiff can not build thereon to the prejudice of the defendant without his consent. It is also ordered that the plaintiff, Claes Hendericksen, according to the lease and the additions thereto, shall have the use of the kitchen as a dwelling for himself or others who acquire his right, and that of the yard to pile up wood and for bleaching.

[38] Ordinary Session held in Fort Orange, January 23 Anno 1657

President, J. La Montagne
Rutger Jacobsen
Anderies Herbertsen
Jacob Schermerhoorn
Philip Pietersen

The officer of Rensselaerswyck, [1] plaintiff, [requests] by petition maintenance of justice in regard to some offense committed in the colony of Rensselaerswyck by Jan Joosten, producing to that effect the testimony of three witnesses.

Jan Joosten, appearing, produces other testimony to the contrary.

The court orders Jan Joosten to communicate a copy of his testimony to the petitioner, the officer. Meanwhile, he is to remain under arrest in the fort until he gives sufficient bail for the judgment in the case.

During the same session there appeared before the court Henderick Jochimsen, who offered himself as surety and principal for the satisfaction of the judgment by the person of Jan Joosten.

Frans Baren[t]sen Pastoor, plaintiff, against Jan van Bremen, defendant.

The plaintiff demands payment of the sum of fl.73:5, due to him by balance of account.

[39] The wife of the defendant, in the absense of her husband appearing in his place, admits the debt.

The court, having heard the parties, condemns the defendant to pay the aforesaid sum in the space of six weeks, meanwhile declaring valid the attachment by the plaintiff of the defendant's property in Katskil.

Jan Daniel, under-sheriff, plaintiff, against Marcelus Janssen, innkeeper, defendant.

The plaintiff says that last Sunday he found three men drinking in the defendant's house during the preaching, contrary to the ordinance. He requests that the defendant be condemned to pay the fine mentioned in the aforesaid ordinance.

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[1] Gerard Swart.

The defendant replies that he did not tap, but that he served a keg of beer to some carpenters who were working for him.

The court, having heard the parties, condemn the defendant, Marcelus Janssen, to pay the sum of fl. 18:– according to the ordinance.

The vice-director and magistrates of Fort Orange and the village of Beverwyck and the dependencies thereof, observing the difficulty which they have at present in making up the account of the expenditures for the building of the church of the village of Beverwyck and other work during the past year, 1656, have decided that henceforth no work shall be let except by order of the court, granted either by themselves or their deputies, and that no money [40] shall be paid except upon their order. And in order that this may not be too troublesome for the court to grant every time, it is ordered that Commissary Johannes La Montagne shall hereafter issue such order, provided that he shall keep a record thereof, so as to know thereby at any time the state of the treasury. Done in Fort Orange, the 23d of February Anno 1657.[1]

Ordinary Session held in Fort Orange, February 6 Anno 1657

President, J. La Montagne

Rutger Jacobsen	Jacob Schermerhoorn
Anderies Herbertsen	Philip Pietersen

Foppe Barensen, plaintiff, against the officer of this court and Willem Brouwer, defendants.

The plaintiff demands to know the reason why the officer placed him in confinement.

The officer says that he did so on account of a complaint of violence committed against Willem Brouwer made to him by Willem Brouwer.

[41] The defendant admits having made such a complaint and [the plaintiff] requests that the officer make his complaint in writing.

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[1]Apparently a mistake for the 23d of January Anno 1657.

The court orders the officer to give [a copy of] his complaint in writing to the defendant to make answer thereto on the next court day.

Teunis Spitsbergen,[1] plaintiff, against Abraham Pietersen Vosburch, defendant.

The plaintiff demands payment of 13 beavers and one hundred and three guilders in strung seawan.

The defendant admits the debt and promises to pay the same in July.

The plaintiff demands cash payment.

The court, having heard both parties, orders the defendant to pay the sum demanded by the last of May.

Abraham Pietersen Vosburch, plaintiff, against Meyndert Fredericksen, defendant.

The plaintiff demands payment for some logs which he cut in the woods and which the defendant took out of the woods, asking fifty guilders for them.

The defendant admits that he used the said logs, but says that he did not have them hauled out of the woods, but that they were brought to him as timber that had been lying in the woods for a long time, offering to give fl.6:– for them.

The court, having heard the parties, orders the defendant to pay the plaintiff fl.16:– cash for the logs in question.

[42] Rutger Jacobsen, plaintiff, against Claes Teunissen, defendant.

The court, having heard the parties, orders the curators appointed to administer the estate of Jacob Luyersen, deceased, to appear before the magistrates to-morrow at nine o'clock.

Eldert Gerritsen, plaintiff, against Foppe Barensen, defendant.

The plaintiff demands fulfilment of a certain contract made with the defendant, whereby the defendant is bound to serve him for one year at fl.2:3 a day, which contract he shows.

The defendant admits it and declares that he is ready to fulfil the contract, provided that the plaintiff furnish sufficient sureties

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[1] Teunis Cornelissen van der Poel, *alias* Spitsbergen.

for the payment of his wages, every day, every week, or every month, as he pleases.

The court orders the defendant to fulfil the contract according to the conditions offered him.

Jochim Kettelhem, plaintiff, against Lubbert, Labitee's servant, defendant.

The defendant failing to appear, default is entered against him.

Gerrit Swart, schout of Rencelaerswyck, plaintiff, against Lambert van Neck, defendant.

The plaintiff demands maintenance of justice in a case of assault resulting in bloodshed committed in Rencelaerswyck, according to a deposition which he produces.

[43] The defendant admits that he struck back at Henderick Gerritsen, who had struck him twice.

The parties having been heard and the deposition examined, the court condemns the defendant to pay one pound Flemish.

Gerritie Bouts,[1] plaintiff, against Henderick Reur, defendant.

Default. The defendant failing to appear, default is entered against him.

Default. Jan Daniel, under-sheriff, plaintiff, against Gerritt Hendericksen and Henderick Classen, defendants.

The 7th of February there appeared by order of the court Jan Verbeeck and Evert Wendels, chosen curators of the estate of the surviving children of Jacob Luyersen, deceased, who accepted the said office and promised to acquit themselves of their duties to the best of their knowledge and ability.

The court, having considered the need of orphan masters in this place and experienced the faithfulness of Jan Verbeeck and Evert Wendels, have for the service and best interest of the country appointed them orphan masters, to take charge of all estates which [otherwise] would remain uncared for through the

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[1] Probably Geertje Nannincks, the wife of Willem Fredericksen Bout.

death of the husband or wife. Done in Fort Orange, the 7th of February Anno 1657.

Was signed: La Montagne, *vice-director and commissary of Fort Orange*
Rutger Jacobsen
Anderies Herbertsen
Jacob Schermerhorn
Philip Pietersen

[44] Ordinary Session held in Fort Orange, February 20, 1657

President, Johannes Lamontagne
Rutger Jacobsen
Anderies Herbertsen
Jacob Schermerhoorn
Philip Pietersen

Jan van Hoesem, plaintiff, against Jochim Wesselsen, baker, defendant.

The plaintiff complains that the defendant kicked his daughter in the chest, so that she is unable to do any work.

The defendant says that his daughter, being in his service, was admonished by his wife to mend her ways as she was a young maiden, whereupon, she making some retort, the woman was moved to chastise her and kicked the plaintiff's daughter with her foot in the rump.

The court orders the officer to take further information in the matter.

Default. Abraham Staets, plaintiff, against Henderick, the baker,[1] defendant.

Default. The honorable magistrates, plaintiffs, against Henderick, the baker, defendant.

The officer, plaintiff, against Dirck de Goyer, defendant.

The defendant failing to appear, default is taken against him.

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[1] Hendrick Jansen Westerkamp.

[45] Ordinary Session held in Fort Orange, February 27 Anno 1657

President, Johannes Lamontagne
Rutger Jacobsen
Anderies Herbertsen
Jacob Schermerhoorn
Philip Pietersen

Jan van Hoesem, plaintiff, against Geertruy, the wife of Jochim Wesselsen, baker, defendant.

The parties having been heard, the court orders the plaintiff to hand in his complaint in writing and to give a copy thereof to the defendant, who is ordered to file his answer thereto on the next court day.

Abraham Staets, plaintiff, against Harmen Jacobsen Bambus, defendant.

The plaintiff demands payment of three hundred and thirty-two guilders.

The defendant admits the debt and promises to pay the same in the space of six days.

The court orders the defendant to pay the aforesaid sum within the aforesaid time.

Marcelus Janssen, plaintiff, against Abraham Vosburch, defendant.

The plaintiff demands payment of fl.77:10:–, which the defendant owed him a year ago on account of the excise.

The defendant admits the debt and asks that payment may be delayed.

The court orders the defendant to pay the aforesaid sum within the space of fourteen days.

[46] Baefjen Pietersen, plaintiff, against Jan Janssen, cooper, defendant.

Default. The defendant failing to appear, default is taken against him.

2d default Foppe Barentsen, plaintiff, against Cornelis Vos, defendant.

Second default against the defendant.

Foppe Barensen, plaintiff, against Willem Brouwer, defendant.

The court orders the parties respectively to submit their documents in order that after examination thereof judgment may be given.

The honorable magistrates, plaintiffs, against Henderick, the baker, defendant.

The defendant is condemned to pay the messenger the balance of fl. 3:12, with costs.

Anderies Herbertsen, magistrate, complains that Henderick, the baker, said that he was the cause of the judgment against him.

Henderick, the baker, requests time until he has spoken with Jan Verbeeck.

The court has promised Jacob Adriaensen the sum of fl.100:– and a lot on the hill, south of Pieter the Fleming, in lieu of his surveyed lot.

Appeared before the court Jan Verbeeck and Evert Wendel, orphan masters of the court, who declared that seeing the bad management of Christoffel Davids in administering the estate left undivided between himself and his children, the heirs of Cornelia de Vos, his deceased wife, they had thought fit for the preservation of the said property and the protection of the children to nominate and propose [47] the persons of Anderies de Vos, the father of the said Cornelia de Vos, and Arent Anderiessen, uncle on his wife's part of the said children,[1] as curators thereof, for so far as the rights of the minor children are concerned; who, appearing before the court, have voluntarily agreed and promised upon oath to acquit themselves therein to the best of their knowledge and to the best advantage of the estate and the children. Wherefore the court have granted them authority as lawful curators[2] of the said estate and guardians of the afore-

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[1]Arent Anderiessen's wife, Catalyntje de Vos, was a sister of Cornelia de Vos.

[2] *Wettelycke Curateurs.* The term usually applies to administrators appointed by the lawful authorities, as distinguished from administrators

said children, with power to do therein and in all that is connected therewith as they jointly shall see fit for the benefit of the aforesaid estate and children, binding themselves to render an accounting whenever time or necessity shall demand it. Done in court at Fort Orange, the 27th of February Anno 1657.

The 27th of February a letter was read in court of the honorable director general and council of New Netherland dated the 7th of February of this year 1657, containing an order to proclaim a day of prayer on the 7th of March, according to their written proclamation, which after the third ringing of the bell was read publicly in Fort Orange, a copy thereof being sent by Lowies Cobussen, court messenger, to Mr Rencelaer.

[48] Extraordinary Session held in Fort Orange, February 27 Anno 1657

President, Rutger Jacobsen — Jacob Janssen Schermerhoorn
Anderyes Herbertsen — Philip Pietersen

The honorable officer, plaintiff in criminal matters, against Dirck de Gojer, defendant.

2d Default. The defendant failing to appear for the second time, default is taken against him.

The honorable officer, plaintiff, against Cornelis Teunissen and his wife, defendants.

The defendant demands a copy of the plaintiff's complaint.

The court orders the plaintiff to give a copy of his complaint to the defendant to make answer thereto on the next court day.

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appointed by will, but seems to be used here, in the sense of the *tutela legitima* of the Roman law, for natural or born guardians, i. e., guardians appointed by reason of blood-relationship. See Simon van Leeuwen, *Roomsch Hollandsch Recht*, 1:117; Nicolaas de Roever Az., *De Amsterdamsche Weeskamer*, p. 10; J. R. T. Phillippi, *Iets over de Voogdij in het Oud-Hollandsch Recht*, p. 28. E. Bergsma, *Over de Weeskamers zooals die vroeger in Holland en Zeeland bestonden*, p. 47, speaks of "*wettige* of *geboren voogden*."

[49] Ordinary Session held in Fort Orange, March 13 Anno 1657

President, Johannes Lamontagne

Rutger Jacobsen	Jacob Janssen Schermerhoorn
Anderies Herbertsen	Philip Pietersen

Abraham Abramsen, plaintiff, against Harmen Bastiaensen, defendant.

The plaintiff says that he was hired at the Manhatans by Henderick de Ruyter to serve the defendant and that he came here for that purpose and requests that the defendants shall engage him.

The defendant answers that he wanted to engage the plaintiff to do his work, not only to drive the cart, but to spade and to cut wood in the forest, as he gave orders to Henderick de Ruyter to engage some one who would do all this work, but that the plaintiff refused to do it.

The plaintiff replies that he was engaged only to drive the cart.

The court, having heard the parties, orders the plaintiff to do such reasonable work for the defendant as his master shall order him to do, or, in case of refusal, to leave the service and to seek to recover damages from Henderick de Ruyter, who hired him.

Master Jacob de Hince, chirurgeon, plaintiff, against Thomas Pouwelsen, defendant.

[50] The plaintiff demands payment for the treatment of a wound of defendant's wife.

The defendant says that he has a contract with the plaintiff for two beavers a year.

The plaintiff replies that he made an agreement with the defendant in regard to the accidents which would occur naturally, but not about wounds which were inflicted deliberately, as this one was, offering to prove the same.

The defendant likewise offers to prove the contrary.

The court, having heard the parties, orders them respectively to bring in their evidence on the next court day.

Christoffel Davids, plaintiff, against Jacob Adriaensen *Neus*,[1] defendant.

The plaintiff demands payment of fl. 423:10:–

The defendant admits the debt but claims that he does not have to pay it until the next month of August, when he promises to pay, binding his house here as security for the payment.

Having heard the parties, the court orders the defendant to pay the plaintiff the aforesaid sum promptly in August, according to his offer.

Baefie Pietersen, plaintiff, against

2d default. Jan de Cuyper, defendant

1st default. Dirck de Gojer, defendant

1st default. Egbert,[2] the carpenter, defendant.

1st default. Claes van den Berch, defendant

Harmen Jacobsen, plaintiff, against Jan Verhaers, defendant.

The plaintiff demands payment of a note and defendant's account.

[51] The defendant denies that he owes so much, as he paid a part of the amount.

The court orders the parties to settle with each other as far as possible and to appear before the court in regard to any difference that may remain between them.

Ordinary Session held in Fort Orange, March 20 Anno 1657

President, J. La Montagne

Rutger Jacobsen — Jacob Schermerhoorn

Anderies Herbertsen — Philip Pietersen

Jan Lambertsen, plaintiff, against Jan Gaeuw, defendant

Default. The defendant failing to appear, default is entered against him.

Jochim, the baker, plaintiff, against Mr van Hamel, secretary of the colony of Rencelaerswyck, defendant.

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[1] Literally: "Nose"; apparently a mistake. On p. 169 of volume 1 of this series, he is referred to as "Neis."

[2] Egbert Sandersen.

The plaintiff complains that the defendant put more in the contract of sale than had been agreed upon by the parties, to wit, that the oven must be repaired by the purchaser and be used as it then was.

The defendant produces the Hon. Gerrit Swardt, schout of Rencelaerswyck, and Johannes van Twillert as witnesses, who declare that it was stipulated that the plaintiff and grantor [52] would deliver to the purchaser the bake oven fit to be used for baking and that the purchaser might keep the same in repair by plastering it on the outside, but was not to put any new bricks in it.

The parties having been heard, the court orders that the contract of sale shall take effect.

Baefie Pietersen, plaintiff, against

Default for the second time.

Jan de Cuyper
Dirck de Gojer
Claes van den Berch
Egbert Sandersen
} defendants

The defendants failing to appear for the second time, default is entered against them.

The officer, plaintiff, against

Claes Hendericksen
Meeuwes Hoogenboom
Gysbert van Loenen
} defendants

The plaintiff says that Jan Daniel, the under-sheriff, reported to him that on the 7th of March, being the day of prayer ordered by the honorable director general of New Netherland and proclaimed here, the defendants played hockey on the ice, demanding therefore that the said defendants be condemned to pay the fine indicated in the ordinance.

The defendants, appearing, maintain that they did not play hockey and promise to prove it.

The parties having been heard, the court orders the defendants to produce their evidence on the next court day.

The officer, plaintiff, against

Jan Joosten Jan Roeloffsen Adriaen Claessen Henderick Bierman Claes Ripsen Pieter Maecker Arent vanden Berch Harmen Jacobsen and Albert, the carpenter	defendants

The plaintiff says that it has been reported to him by [53] Johan Daniel, under-sheriff, that the defendants after the ringing of the bell were found drinking in the tavern of Albert, the carpenter.

The defendants being unable to deny it, the court condemns them to pay the fine mentioned in the ordinance, to wit, each person fl.3:-- and Albert Gerritsen, carpenter, the tavernkeeper, the sum of fl.12:–

Appeared in court the Reverend Domine Gidion Schaets, who complained that Cornelis Teunissen Bosch had slandered him and injured him in his reputation and calling by claiming that he had seen the minister drunk at times.

And about Marretie, the wife of the aforesaid Cornelis Teunissen, for saying: "Those who are willing to revel and feast with the Domine are his friends and because I do not want to do it, I am a child of the devil. If I only could sit in church with a book before me, like the hypocritical devils, I would be a child of God, but because I refuse to do it, I am a child of the devil; but let me be a child of the devil."

Appeared before the court, Claes Hendericksen from Uytrecht, Claes from Rotterdam and Cornelis Janssen, who at the request of Domine Gidion Schaets jointly declared that being at the house of Rutger Jacobsen, on the 19th of February last, they heard Marretie, Cornelis Teunissen's wife, being drunk, say: "Those who are willing to revel and feast with the Domine are his friends and because I do not want to do it, I am a child

of the devil. But if I could sit in church with a book before me, as the hypocritical devils do, I would be a child of God, and because I refuse to do it, I am a child of the devil. But let me be a child of the devil."

The curators of the estate of Jacob Luyersen, deceased, plaintiffs, against Willem Janssen Stoll, defendant.

[54] The plaintiffs demand payment of the sum of fl.101:–, in which the defendant is found to be indebted on the books of Jacob Luyersen, deceased.

The defendant claims that he paid of this amount to Pieter Bronck, for the widow of Jacob Luyersen, deceased, the sum of eighty guilders.

The court, having heard the parties, orders the defendant to bring proof of his payment on the next court day.

The curators of the estate of Jacob Luyersen, deceased, plaintiffs, against Huybert Janssen, defendant.

The plaintiffs demand payment of the sum of fl.10:11.

The defendant admits the debt.

The court orders the defendant to pay the acknowledged debt within the space of ten days.

Extraordinary Session held in Fort Orange, April 14 Anno 1657

Interrogatory of Hans Vos, residing at Katskil, conducted at the request of the officer, J. La Montagne, before the Hon. Anderies Herbertsen and Jacob Schermerhoorn, magistrates of the said court, April 14 Anno 1657

1 How old he is and where born?	1 Answers: 40 years and born at Leunenborch.[1]
[55] 2 Whether last fall, being assisted by Michiel, his servant, he did not get two ankers of anise water at the rift of Katskil?	2 Answers: No.

[1] Luneburg, the eastern portion of Hanover, now a district of Prussia. In other places, Hans Vos is referred to as from Baden, meaning the village of Baden in Hanover, and not the grand-duchy of Baden.

3 From whom he received or bought the same?

3 Answers as above; did not get any.

4 Whether he did not sell the same to the savages as well as to the Christians?

4 Answers: No.

5 Whether he, Hans Vos, did not order Michiel, his servant, to get another anker of anise water out of a canoe and whether he took the said anker into his house?

5 Answers: No.

6 Whether shortly afterward there was not another anker of anise water in his house?

6 Answers that during the whole fall he has not had any wine except one anker from Eldert de Gojer and a half anker from Lourens Lourensen.

7 Whether he did not say, in the presence of *Lange* Gysbert,[1] If any one denounces me or blabs that I sell, or have sold, any wine to the savages, I shall tie a rope with a stone around his neck and throw him into the kill?

7 Answers: No.

8 Whether in the evening, before the trouble occurred, he did not sell some ten cans of brandy to the savages?

8 Answers: No.

[56] 9 Whether after the accident had taken place he did not give to the said savages a keg full of wine, containing seven or eight cans?

9 Answers: No.

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[1] Tall Gysbert; probably Gysbert van Loenen.

Femmetien Albertsen, appearing before the aforesaid magistrates at the request of Hans Vos, declares that the savages, having come into his house at Katskil, wanted to force Jan Andriessen, her brother-in-law, to get a bottle of brandy at Hans Vos's, which they said they had paid for.

Ordinary Session held in Fort Orange, April 17 Anno 1657

President, Johannes Lamontagne

Rutger Jacobsen	Jacob Schermerhoorn
Anderies Herbertsen	Philip Pietersen

Jan Lambertsen, plaintiff, against Jan Gouw, defendant.

The plaintiff demands payment of the sum of fl.29:15, for work done for the defendant, of which he has received 4 schepels of wheat on account.

The defendant admits that the plaintiff worked for him twelve days at fl.2:– a day, amountng to fl.24:–, for which he paid the plaintiff 8 schepels of wheat at fl.3:– a schepel, so that he claims that he paid the plaintiff in full.

The court orders the parties to prove their statements on the next court day.

[57] Claes Janssen, that is to say Jacobsen, plaintiff, against Jochim, the baker, defendant.

The plaintiff demands payment of forty-two and a half beavers by virtue of a judgment by default.

The defendant admits the debt, but says that the time does not expire until the last of the month.

The parties having been heard, the court orders the defendant to pay the forty-two and a half beavers to the plaintiff on the last of July next.

Willem Albertsen, plaintiff, against Storm Albertsen, defendant.

The plaintiff demands payment of fl.30:– for wages.

The defendant says that he has a counter claim.

The court orders the parties to settle their accounts before two referees to be chosen by them respectively.

Steven Janssen, plaintiff, against Egbert Sandersen, defendant.

The plaintiff says that he has had the defendant's money in the hands of Adriaen Appel attached and caused the said defendant to be summoned to hear the reason of the attachment.

Default. The defendant failing to appear, default is entered against him and the attachment provisionally declared valid.

Jan van Hoesem, plaintiff, against Geertruy Jeronimus, the wife of Jochim, the baker, defendant.

The parties having respectively declared that they desist from the further production [of testimony], the court grants to each party a copy of such declaration (*acte van renunciatie*).

Jan Tomassen, appearing before the court complains to it that the officer through the court messenger has forbidden him to proceed with the construction of a shed which he is building on his lot.

[58] The officer says that, having heard that the same was being erected contrary to the survey and orders of the director and the magistrates, he had forbidden it.

Jan Tomassen says that he built the shed for the accommodation of the savages and promises to tear it down within the space of three months.

The court prohibits Jan Tomassen from using said shed for the space of three months.

Ordinary Session held in Fort Orange, April 24, 1657

President, Johannes Lamontagne

Rutger Jacobsen	Jacob Schermerhoorn
Philip Pietersen	Anderies Herbertsen

Jan Lambertsen, plaintiff, against Jan Gouw, defendant.

The plaintiff demands payment of fl.18:10:– for wages.

The defendant admits that he owes fl.12:–.

The court, having heard the parties, orders the defendant to pay the plaintiff the sum of fl.12:– and one half of the costs.

Baefje Pietersen, plaintiff, against Jan, the cooper, defendant.

The plaintiff says that she caused the defendant to be cited for the third time to obtain payment of the sum of fl.25:– for wine and beer consumed by the defendant at her house, and as he remains in default, she requests that he be ordered to pay the plaintiff the sum of fl.22:–, according to her account, which she produces, and the costs of the suit, estimated at fl.3:2:–

[59] The defendant failing to appear for the third time, he is by default condemned to pay the plaintiff the sum of fl.25:– demanded within the space of eight days, under penalty of execution, and the costs of the suit estimated at fl.3:2:–

Baefje Pietersen, plaintiff, against Meuwes[1] Hoogenboom, defendant.

The plaintiff says that she had the defendant cited for the third time to obtain payment of fl.38:10:– for wine and beer consumed by the defendant at her house, and as he remains in default, she requests that he be ordered to pay the sum demanded according to her account, which she produces, and the costs of the suit.

The defendant failing to appear for the third time, he is by default condemned to pay the sum demanded, to wit, fl.38:10:–, to the plaintiff within the space of eight days, under penalty of execution, with costs of the suit, estimated at fl.3:12:–

Baefje Pietersen, plaintiff, against Poulus Martensen, defendant.

The plaintiff says that she has had the defendant cited for the third time to obtain payment of the sum of fl.56:– for wine and beer consumed by the defendant at her house, and as the defendant remains in default, she requests that he be ordered to pay the plaintiff the sum demanded according to the account, which she produces, and the costs of the suit, estimated at fl.3:12:–

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[1] Meuwes, or Meus, a short form for Bartholomeus, or Bartholomew.

The defendant failing to appear for the third time, he is by default condemned to pay the plaintiff the sum of fl.56:– demanded within the space of eight days, under penalty of execution, with the costs of the suit, estimated at fl.3:12:–

Both parties in default.

[60] Gerber[t] Gysbertsen, plaintiff, against Abraham Vosborch, defendant.

Poulyn, plaintiff, against Claes Teunissen and Marten, Corlaer's servant, defendant.

The officer, plaintiff, against

Poulyn Martensen
Gerrit Slechtenhorst
Harmen, the brewer } defendants
Marten, the mason
Henderick Bierman

The plaintiff says that on the 19th of this month Pieter Bronck fought with Poulus Martensen and drew his knife in the house of Henderick Bierman, in the presence of Harmen, the brewer, Gerrit Slechtenhorst, Marten, the mason, Henderick Bierman and others. Requests that the said defendants be examined in regard to the said deed.

Poulus Martensen, appearing before the court and being asked:

1 Whether he fought with Pieter Bronck?	1 Answers, Yes.
2 Whether he saw Pieter Bronck draw his knife?	2 Answers that he can not tell, as he was drunk.
1 Harmen, the brewer, being questioned whether he was present when Pieter Bronck and Poulus Martensen were fighting?	1 Answers, Yes.
2 Whether he took Poulus Martensen's side aganist Pieter Bronck?	2 Answers, Yes.

3 Whether he did not see that Pieter Bronck drew his knife?

3 Answers that he is not an informer and will not say it. Being asked again on the 26th ditto, he answered that Pieter Bronck drew his knife.

1 Gerrit Slechtenhorst being asked whether he was present when Pieter Bronck and Poulus Martensen fought together?

1 Answers, Yes.

2 Whether he did not see that Pieter Bronck drew his knife on Poulus Martensen?

2 Answers, No, as he went into the other room when they began to fight.

1 Marten, the mason, being asked whether he did not see Pieter Bronck and Poulus Martensen fight together?

1 Aswers, Yes.

2 Whether he did not see that Pieter Bronck drew his knife on Poulus Martensen?

2 Answers, No.

1 Henderick Bierman being asked whether he saw Pieter Bronck and Poulus Martensen fighting together?

1 Answers, Yes.

2 Whether he saw Pieter Bronck draw his knife on Poulus Martensen?

2 Answers, No. Being afterwards, on April 26, again examined, he answered that he saw that Pieter Bronck had his bare knife in his hand, but did not know whom he wounded.

[62] Interrogatory of Gysbert Teunissen, residing at Katskil, cited at the request of Hans Vos, conducted on April 24, 1657, at the request of the officer of Fort Orange and the village of Beverwyck before the magistrates of the said jurisdiction.

1 How old he is and where born?

1 Answers, 34 years and born in Gelderland.

2 Whether he ever saw or heard that Hans Vos sold some strong drink or brandy to the savages at Katskil?

2 Answers, Yes, that he saw it.

3 Whether he ever heard that Hans Vos said, if there was any one in his house who informed against him, he would tie a rope with a stone around his neck and throw him into the kill?

3 Answers that he heard him say: "If there is any one in my house who informs against me, I shall throw him out of the door."

Appeared before the court Michiel Verbruggen, residing at Klaverack, lately servant of Hans Vos, in Katskil, who in the presence of Hans Vos confirmed the testimony given by him on the 5th of April 1657, in the presence of Lambert Janssen and Anderies de Vos.

[63] Extraordinary Session held in Fort Orange, April 28 Anno 1657

President, Rutger Jacobsen
Anderies Herbertsen Philip Pietersen
Jacob Schermerhoorn

J. Lamontagne, in his capacity as officer, plaintiff, against Hans Vos, defendant.

The plaintiff says that many complaints have reached him from the inhabitants of Katskil about the sale of liquor to the savages by the defendant, contrary to the ordinance issued by the honorable director general and council of New Netherland. He has therefore investigated the matter and caused several witnesses to be examined before the court and, as it appears

from their answers to the interrogatories hereto annexed that the defendant is guilty thereof and this is a matter of dangerous consequence which can not be tolerated in a land where justice prevails, he demands that the aforesaid defendant be condemned to pay the fine of fl.500:– and furthermore be banished from the jurisdiction of this court according to the ordinance, as an example to others.

The court, having examined the documents produced by the honorable plaintiff as well as by Hans Vos, defendant, and finding that the defendant is guilty of the charges brought against him, condemn him to pay a fine of fl.300:– and in addition banish him, as they do hereby, from the jurisdiction of the court for the period of three years, as an example to others. Thus done and adjudged in Fort Orange, on the date above written. Was signed: Rutger Jacobsen, Anderies Herbertsen, Jacob Schermerhoorn and Philip Pietersen.

[64] Jan van Hoesem, plaintiff, against Geertruy Jeronimus, defendant.

The plaintiff complains that the defendant kicked his daughter, who was in her service, from behind when she stooped over, so that she discharged much blood contrary to nature and for a long time was confined to her bed, suffering great pain, as he shows by the report of the surgeon and the affidavit produced to that effect.

The court, having examined the respective documents that are produced, condemn the aforesaid defendant, Geertruy Jeronimus, to pay the sum of thirty guilders for the pain suffered by the daughter and the costs of the suit, estimated at fl.4:16:– Done in Fort Orange, April 28, Anno 1657. Was signed: La Montagne, Rutger Jacobsen, Jacob Schermerhoorn, Philip Pietersen.

Extraordinary Session, Tuesday, May first Anno 1657

In the place of Rutger Jacobsen and Anderies Herbertsen, retiring ordinary magistrates, and Dirck Janssen Croon,[1] extraordinary magistrate, Captain Abraham Staets and Jan Tomassen, according to the copy of the resolution of the honorable director general and council of New Netherland, are chosen and confirmed as ordinary magistrates from the double number of those nominated, and Adriaen Gerritsen as extraordinary magistrate, who, being summoned by the court, have before the commissary taken the following oath of fidelity:

We, the undersigned, as chosen magistrates of the court of Fort Orange and the village of Beverwyck, [65] promise and swear in the presence of Almighty God that with our fellow magistrates we shall help to do true justice between man and man according to law and furthermore, to the best of our knowledge and ability, promote and help execute all matters concerning the government. Also, that in every respect we shall be loyal and true to the Lords States General of the United Netherlands and to the honorable directors of the Chartered West India Company, as well to the honorable director general and council of New Netherland; promising further that we shall maintain here the Reformed Religion according to God's Word and the regulations of the Synod of Dordrecht, and not tolerate publicly any sects. So truly help us God Almighty.

After being congratulated, the aforesaid Captain Abraham Staets, Jan Tomassen and Adriaen Gerritsen have this day taken their seats.

The retiring magistrates are released from their oath and thanked for their good services and the performance of their

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[1] Dirck Jansen Croon was a brother-in-law of Adriaen Gerritsen van Papendorp, who succeeded him as extraordinary magistrate. Dirck Jansen Croon died in Holland in the early part of 1679. See letter from J. H. Sybingh to Adriaen Gerritsen, dated Amsterdam, May 12, 1679, in the New York State Historical Association, *Quarterly Journal*, 1922. 3:223.

duties, with the promise that as to their honorarium of one hundred and fifty guilders a year, their claim will be considered together with that of the present and future magistrates and that in due time, when the treasury is well supplied, they will be paid.

After deliberation it is thought fit and decided that the annually retiring magistrates for the period of one year after their discharge shall be exempt from the ordinary duties of the burgher guard, but that nevertheless, being ordered to do so in case of need, they shall be held to attend to all extraordinary rounds and watches the same as other burghers, according to the resolution passed on the first of May Anno 1657, confirmed by the honorable director general and council of New Netherland.

[66] Interrogatory of Marten *Bierkaker*,[1] conducted at the request of the officer of Fort Orange and the village of Beverwyck before all the magistrates

1 Whether he did not see Steven Janssen, carpenter, draw his knife on Seger Cornelissen?	1 Answers, Yes.
2 Whether he did not see the said Steven Janssen, carpenter, draw his knife on Seger Cornelissen and wound him?	2 Answers, that he did not see Steven Janssen wound Seger Cornelissen with his knife, but did see that Seger Cornelissen was wounded.
3 Who were present at the time?	3 Answers, Pieter More, Jan . . . [2], Adriaen Appel and his wife, Willem Janssen Hap.

Henderick Pietersen, plaintiff, against Tjerck Claessen, defendant.

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[1] Marten Hendricksen, from Hammelwarden, Oldenburg, tavernkeeper.

[2] Destroyed.

The plaintiff demands payment for a certain horse sold to him, the time of which expired more than a year ago.

The defendant admits the debt.

The court orders the defendant to pay the sum demanded within the space of one month and to furnish sufficient sureties for the payment to the satisfaction of the plaintiff and in addition to pay the costs of the suit, estimated at fl.18:–

[67] Ordinary Session held in Fort Orange, May 29 Anno 1657

President, Johannes La Montagne

Jacob Schermerhoorn	Abraham Staets
Philip Pietersen	Jan Tomassen

Sandert Leendersen, plaintiff, against Jacob Tyssen, defendant.

The plaintiff demands payment of the rent of his house, leased to the defendant until the first of May Anno 1657.

The defendant denies that he hired the said house for longer than he cared to live in it and claims that he vacated the said house in November Anno 1656.

The parties having been heard, the court orders them to prove their statements on the next court day. Meanwhile, the defendant is ordered to pay the rent of the house for so long as he lived in it.

Jacob Schermerhoorn, plaintiff, against Henderick Anderiessen, defendant.

The plaintiff complains that the defendant in the presence of some prominent people called him a thief, a rascal, a bloodhound, etc.

The defendant admits that he called the plaintiff names, but declares that he does not know what he said, as he was drunk.

The officer requests permission to interplead.

The parties having been heard, the court orders the plaintiff to prove his charges on the next court day. Meanwhile, the officer is granted an order permitting him to interplead.

[68] Jan Labite, plaintiff, against Gillis Pietersen, defendant.

The plaintiff demands settlement of his account for 100 lbs of nails which he delivered to the defendant.

The defendant says that he offered to settle the account a year ago and that the plaintiff did not appear to pay his counter claim.

The parties having been heard, they are ordered by the court to produce their respective accounts in order that judgment may be rendered as to the difference between them.

Frans Barensen Pastoor, plaintiff, against Teunis, the mason, defendant.

The plaintiff demands payment of the sum of fl.21:–.

The defendant's wife, appearing in the stead of her husband, admits that she owes fl.9:– and no more.

The defendant refusing to swear to her statement, the court, on the oath of the plaintiff, condemns her to pay the sum of fl.21:–

Jan van Hoesem, plaintiff, against Mattheuwes Abrahamsen, defendant.

The plaintiff says that the defendant agreed to build his house on the hill, but has now thrown up the job, after having received half the wages.

The defendant says that it is not his fault, but the plaintiff's, who would not allow him to work on it in the winter, and promises to take up the work again next Monday.

The court, in accordance with the offer made by the defendant, orders him to proceed with the work of the said house on Monday next.

[69] Jochim, the baker, plaintiff, against Willem Hoffmeyr, defendant.

The plaintiff demands that the defendant shall vacate his house, as he has sold it and must deliver it the last of May.

The defendant says that the house is not the plaintiff's but his own, as the plaintiff gave it to him at his wedding party for a lot which belonged to him by patent and on which the plaintiff

built a house during the defendant's minority, the plaintiff being his step-father and guardian.

The plaintiff produces a certain agreement entered into by the respectively chosen arbitrators from which it appears that the defendant released all his claim to the plaintiff for the sum of 700 and odd guilders.

The court, having examined the agreement accepted by both parties, adjudge that the plaintiff, by virtue of the said arbitration, has the right to have the house in question vacated and orders the defendant to vacate it within the specified time.

Pieter Bronck, plaintiff, against Ulderick Kleyn, defendant.

The plaintiff demands payment of the sum of fl.395:–

The defendant admits that he owes the plaintiff, but does not know how much and asks for an account.

The court orders the plaintiff to give the defendant an account, which the defendant is to pay within six weeks.

Pieter Bont, plaintiff, against Pieter Bosboom, defendant.

The plaintiff says that the defendant is bound to burn brick for him for the period of ten months, exhibiting a contract made between Mr t'Hulter,[1] deceased, and the defendant.

[70] The defendant on the other hand produces an absolute release from Madam Johanna, widow of the said Mr de Hulter, deceased.

The court, having examined the contract and the release, adjudge that the defendant is released from his contract by virtue of the release.

Pieter Bont, plaintiff, against Pieter Wollebrant, defendant.

The plaintiff demands payment of fl.68:–

The defendant admits the debt.

The court orders the plaintiff to prove his claim on the next court day.

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[1] Johan de Hulter, the first husband of Johanna de Laet.

President, Jacob Schermerhoorn
Philip Pietersen Adriaen Gerritsen
Abraham Staets

The officer, plaintiff, against Pieter Bronck, defendant.

The plaintiff demands that the defendant be fined fl.100:– according to the ordinance because on the 19th of April last, at the house of Henderick Bierman, he drew his knife on Harmen, the servant of Jan Tomassen, in the presence of the said Henderick Bierman and other witnesses who, being examined before the court, have testified to the same.

The defendant says that he was quite drunk and therefore can neither admit nor deny the fact.

The court having seen the witnesses produced, condemn the defendant to pay a fine of fl.100:– according to the ordinance.

The honorable officer, plaintiff, against Steven Janssen, defendant.

[71] The officer says that the defendant, on the 19th of April last, at the house of Marten *Bierkaker*, drew his knife and wounded therewith Seger Cornelissen Wip in two places, as appears from the affidavit which he produces in court; demanding therefore that the defendant, according to the ordinance, be condemned to pay a fine of three hundred guilders, or to work for eighteen months in irons at hard labor.

The defendant admits having committed the deed, but claims that he was forced to do so in self defense and promises to prove it on the next court day.

The court orders the defendant to prove his statement on the next court day.

The court of Fort Orange and the village of Beverwyck, having heard the complaints of the community in regard to the trading with the savages, in which they claim to be greatly concerned as by ordinance they are prohibited from employing any brokers; therefore, wishing to give the community satisfaction, the court consent for this year to the employment of Indian

brokers to carry on the trade. Done in Fort Orange, this 6th of June Anno 1657.[1]

Extraordinary Session held in Fort Orange, June 7 Anno 1657

Present, the magistrates of this court and the members of the court martial of the burgher guard.

President, Jacob Schermerhoorn
Captain Abraham Staets
Philip Pietersen
Adriaen Gerritsen
Henderick Jochimsen, lieutenant
Lambert v: Valckenborch, sergeant

Pieter Jacobsen Bosboom complains that last Sunday evening, being the 5th of June, sitting in front of the guardhouse of the burgher guard, where he was lodging by permission of the magistrates, Marten, the mason, came to him before the guard was set and asked him what had become of the candles? [72] Whereupon he answered that he did not know; to which Marten replied: "You have taken them." The plaintiff answered: "You lie." Marten immediately drew his sword and cut the plaintiff's head as he made a move to get up.

Marten, the mason, being examined and asked why he wounded Pieter Jacobsen Bosboom, answers that he told him he lied and called him a rascal.

Lambert van Valckenborch, sergeant of the burgher guard, who was present, says that on coming to the guard house he ordered a candle to be lit. Marten, the mason, stepping outside the guard house asked Pieter Jacobsen Bosboom where the candles were? To which question Pieter Jacobsen Bosboom answered: "I do not know." Marten replied: "You stole them." The aforesaid Pieter Jacobsen Bosboom then said: "You lie like a rascal and a knave." The aforesaid Marten then drew his sword and cut the said Pieter Jacobsen Bosboom's head as he rose from his seat.

The court refers the matter to a committee of four, to wit,

[1] Revised from *Doc. rel. to Col. Hist. N. Y.*, 13:72.

two from the court and two from the court martial, to render a decision in the case, namely, Jacob Schermerhoorn and Philip Pietersen Schuyler from the court and Captain Abraham Staets and Henderick Jochimsen, lieutenant, from the burghers.

[73] Ordinary Session held in Fort Orange, June 11 Anno 1657

President, Johannes Lamontagne

Jacob Schermerhoorn
Philip Pietersen
Abraham Staets
Jan Tomassen
Adriaen Gerritsen

Anderies de Vos, plaintiff, against Poulus Leendersen, defendant.

The plaintiff demands payment for ninety-one pine boards delivered to the defendant by Adam Roelantsen, to whom the plaintiff sent them four years ago to have said boards sold on his account at the Manhatans by Henderick Anderiessen, requesting that the said Henderick Anderiessen by his order may be cited and examined in the matter, producing also a note signed Poulus Leendersen vande Grift, whereby he acknowledges the receipt from Adam Roelantsen of ninety-three boards at 25 stivers apiece, and offers to give security for all further demands.

Appeared before the court, Henderick Anderiessen, who at the request of Anderies de Vos declared that about four years ago he was asked by the said Anderies de Vos to take some boards to the Manhatans and to deliver the same to Adam Roelantsen, to be sold there on account of Anderies de Vos, which the deponent did, having delivered the said boards to Adam Roelantsen.

The defendant admits the receipt of the boards and that he wrote and signed a note for them, but declares that he did not use them for himself, but for the city of Amsterdam in New Netherland, protesting that according to the great burgher right granted to the city of Amsterdam in New Netherland he can not be cited before [74] this court nor be attached.

The court, considering the great loss which the plaintiff has suffered by being deprived of his money for so many years, as well as his present need and the fact that the note is absolutely, without any restriction, made payable by the defendant, condemn the defendant to pay the sum of one hundred and eighteen guilders and fifteen stivers to the plaintiff according to his own note, within the space of six weeks. Meanwhile, he is here, before his departure, to give sufficient security for the payment of the aforesaid sum, allowing him to bring such action for the recovery of the sum as the law may indicate.

On June 14, Anno 1657, I, the court messenger of Fort Orange and the village of Beverwyck, served the above judgment on Sr. Poulus Leendersen vander Grift and read it to him in the name of the court, which said vander Grift answered: "I appeal from the judgment. I shall presently call on Mr La Montagne to have the appeal entered."

Was signed: Lodovicus Cobus, Court messenger

On June 14, Anno 1657, there appeared before me, Johannes Lamontagne, commissary of Fort Orange and the village of Beverwyck, etc., the Honorable Poulus Leendersen vander Grift, who declared that he appealed, as he appeals hereby, from the judgment given against him by this court in the suit between him and Anderies de Vos, requesting a writ of appeal, which is granted him on condition that according to law he here pledge the sum in question either by depositing it with the court or by giving sufficient security. Done on the date above written.

[75] Labite, plaintiff, against Jillis Pietersen, defendant.

Default The defendant failing to appear, default is given against him

Default Pieter Bout,[1] plaintiff, against

Default the baker, the cooper and Madam t'Hulter, defendants.

Default Jacobus Teunissen, plaintiff, against

Default Teuwes Abrahamsen, defendant.

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[1] His name is also written Pieter Bont.

Pieter Bronck, plaintiff, against
Default Adriaen Appel, defendant.
Egbertjen, wife of Teunis, the mason, plaintiff, against
Default Jan Gouw and Poulus Jurcksen, defendants.
Abraham Staets, plaintiff, against
Default Harmen Jacobsen, defendant.
Default. Harmen Jacobsen, plaintiff, against
Default. Susanna *bierkakers*,[1] defendant.
Frans Barentsen, plaintiff, against
Default. Jan van Breemen, defendant.
Tomas Janssen Mingael, plaintiff, against
Default. Jan Roeloffsen, defendant.
Default. Baefien Pietersen, plaintiff, against
Default. Willem Leendersen, defendant.
Default. Willem *Geelgieter*,[2] plaintiff, against
Claes Ripsen, defendant.
Marcelus Janssen, plaintiff, against
Default. Abraham Vosburch and Mattheus Abrahamsen, defendants.
Michiel Rombouts, plaintiff, against
Default. Poulus Jurcksen, defendant.
Rem Janssen, plaintiff, against
Default. Symon, the baker, defendant.

[76] Extraordinary Session held in Fort Orange, June 16 Anno 1657

President, Philip Pietersen — Jan Tomassen
Abraham Staets — Adriaen Gerritsen

The honorable officer, plaintiff, against Henderick Anderiessen, defendant.

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[1] Susanna, the wife of Marten Hendricksen, the *bierkaker*.

[2] Willem, the brass founder.

The plaintiff demands reparation for slander uttered by the defendant against the person of Jacob Schermerhoorn, magistrate of this court.

The defendant produces his answer in defense and at the same time an affidavit by Jacob Janssen Stoll.

The court orders the defendant to give a copy of his answer and evidence to the plaintiff, who is to make replication thereto on the next court day.

The officer, plaintiff, against Steven Janssen, defendant.

The plaintiff says that the defendant, on the 19th of April last, in the house of Marten *Bierkaker*, drew his knife on Seger Cornelissen and wounded him with it in two places, for which crime the plaintiff had him summoned before the court. Having after some defaults appeared before the court, the defendant, after acknowledging the crime, claimed that he had drawn his knife in self defense, whereupon the defendant was ordered to produce his evidence on the next court day. The plaintiff, therefore, demands that the defendant produce his evidence, if he has any.

The defendant submits some testimony in his defense.

The court orders the defendant to furnish the plaintiff with a copy of his testimony.

[77] The officer, plaintiff, against Frans Barensen Pastoor, defendant.

The plaintiff says that on the 23d of April last, being in the company of Magistrate Jacob Schermerhoorn, Mr Gerrit Swart, schout of Rencelaerswyck, Jan Verbeeck and Pieter Hartgers, former magistrates, he and the aforesaid persons saw the defendant in an angry mood, with a bare knife in his hand, making for Jacobus Teunissen, who, in order to escape his clutches, was forced to jump a fence.

The defendant admits the deed, but excuses himself by saying that an affront offered to him in his yard by Jacob Teunissen caused him to pursue him with a knife in his hand.

The plaintiff replies that the flight of the said Jacob Teunissen, who had no knife in his hand, proves sufficiently that he had

committed no assault and demands therefore that he be fined one hundred guilders according to the ordinance.

The court condemns the defendant to pay a fine of one hundred guilders cash according to the ordinance.

[1] The 16th of June Anno 1657, the sachems of the three castles of the Maquaes sent to Mr Lamontagne, vice-director, the chief named Sasiadego, who requested in the name of the said sachems that they might be heard the same day. Whereupon the vice-director convened the court.

At which meeting appeared the three sachems of the three Maquaes castles, who after the usual ceremonies made the following propositions:

[78] First, they request us as old friends that we should accommodate them with some horses to haul logs out of the woods to repair their castles and that we should protect their wives and children here in the village in case they should be involved in war with the Sinnekes,[2] offering on this proposition a string of seawan amounting to fl.16:12:–

Secondly, as all three castles belong to the same nation and they are bound to help each other in time of need, which can not well be done without warning each other of their distress, they ask that we should assist each of the castles with a cannon and that the same should be drawn by horses from here to the flatts (*de vlachte*), being 8 [Dutch] miles from here. Upon which proposition they offered another string of seawan, amounting to fl.16:9:–

Thirdly, [they state] that in passing through on their way to the Mahikanders they called on us to renew the old friendship between us and them. Whereupon they offered a third string of seawan, amounting to fl.13:10:–

The officer, plaintiff, against Jochim Wesselsen, defendant.

The plaintiff says that owing to Willem Hoffmeyer's failure

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[1] Revised from *Doc. rel. to Col. Hist. N. Y.*, 13:72.

[2] Sinnekes, or Senecas, an early Algonquin name for the upper Iroquois. All but the Maquaes, or Mohawks, were called Sinnekes by the Dutch.

to pay the sum of fl.500, which on October 6, 1656, he was by the honorable director general and the court condemned to pay, and for which sum the defendant and his wife became sureties, he has had fl. 315:– of the aforesaid sum attached in the hands of Robert Vastrick and requests that the attachment may be declared valid.

The defendant failing to appear, the court declares the attachment valid.

[79] Ordinary Session held in Fort Orange, June 19 Anno 1657

President, J. Lamontagne

Jacob Schermerhoorn
Philip Pietersen Schuyler
Abraham Staets
Jan Tomassen
Adriaen Gerritsen

Pieter Bronck, plaintiff, against Adriaen Janssen from Leyden, defendant.

The plaintiff demands payment of the sum of fl.180:– which the defendant has owed him for two years for beer delivered to him.

The defendant being unable to appear on account of his illness and having asked the court messenger to appear for him admits the debt and asks six weeks delay of payment.

The court, considering the [length of] time [that the money has been due], condemn the defendant to pay the plaintiff the sum of fl.180:– demanded within the space of 14 days, under penalty of execution.

Pieter Bronck, plaintiff, against Arent vanden Berch, defendant.

The plaintiff demands payment of the sum of fl.72:10:–.

The defendant admits the debt and offers to pay the same within the space of 14 days.

The court, having heard the confession and promise of the defendant, condemn him to pay the said sum of fl.72:10:– to the plaintiff within the space of 14 days.

Pieter Bronck, plaintiff, against Pieter Wollebrant, defendant.

The plaintiff demands payment of fl.68:–.

The defendant admits that he owes all but fl. 24 of said sum.

[80] The defendant refusing to swear to his statement and the plaintiff taking the oath, the court orders the defendant to pay the aforesaid sum of fl.68:– within the space of six weeks.

Pieter Bont, plaintiff, against Pieter Jacobsen, defendant.

The plaintiff demands payment of the sum of fl.35:18.

The defendant says that he has a counter claim.

The court orders the parties to settle with each other and to appear in court about the balance of their accounts, if there is any.

Frans Barensen, former magistrate, appearing before the court, requests payment of his honorarium, amounting for two years to the sum of fl.300:–, which sum the honorable director general promised to pay to each magistrate serving on the bench.

The magistrates, considering the nature of the promise, promise to pay the fl.300:– demanded as soon as the state of the treasury will permit.

[1] On June 21, 1657, there appeared again the sachems, or chiefs, of the Mohawk castles, who asked the court for an answer to their propositions made on the 16th of this month. Upon which request, the court gave the following answer:

As to the first proposition, concerning the horses, the answer is that they have no horses of their own, but if they [the Indians] are willing to pay for them, they will try to persuade some people to accommodate them. As to lodging their women and children in case [81] of war against the Sinnekens, they are ready to do so for the sake of their old friendship, but they hope that it will not be necessary.

As to the second proposition, about the request for cannon, the answer is that the cannon do not belong to them, but to their superiors, who have given them to them for their defense, so that they can neither give them away nor loan them without their

[1] Also translated in *Doc. rel. to Col. Hist. N. Y.*, 13:72–73, where the date is given as June 22, 1657.

consent. They will write about it to the director general and await his reply.

As to the third proposition, about renewing the old friendship between us and them, the answer is that they are ready to maintain it and thank them for the favorable disposition which they show toward us.

Ordinary Session held in Fort Orange, June 22 Anno 1657

President, J. Lamontagne	Abraham Staets
Jacob Janssen Schermerhoorn	Jan Tomassen
Philip Pietersen	Adriaen Gerritsen

Rem Janssen, plaintiff, against Symon Volckersen, defendant.

The plaintiff demands payment of fl.100:– arising from the lease of his house, the term of which expired a year ago.

The defendant admits the debt, but declares that he can not pay it in beavers and offers to pay the said sum in good, merchantable seawan, counted at fl.9:– for one beaver, within the space of eight days.

[82] The court orders the defendant, according to his offer and promise, to pay the sum of fl.100:– in good, merchantable seawan, counted at fl.9:– for one beaver, within the space of eight days.

Willem Hofmeyer, plaintiff, against Jochim Wesselsen, baker, defendant.

The plaintiff demands payment of the sum of six hundred guilders, according to the contract made between him and the defendant.

The wife, appearing instead of her husband, offers to pay according to the contract, to wit, if the plaintiff goes this year to Holland to pay in beavers; if not, to pay in seawan in the year 1658.

The court orders the plaintiff to be satisfied with the terms of his contract.

Tomas Janssen Mingael, plaintiff, against Jan Roeloffsen, defendant.

The plaintiff demands payment of the rent of his house, amounting to five beavers.

The defendant admits the debt.

The court condemns the defendant to pay the sum demanded within the space of six weeks.

Michiel Rombouts, plaintiff, against Poulus Jurcksen, defendant.

The plaintiff demands payment of three beavers.

The defendant admits the debt and promises to pay it within the space of eight days.

The court orders the defendant to pay according to his promise.

[83] Ordinary Session held in Fort Orange, June 26 Anno 1657

President, Philip Pietersen
Abraham Staets
Jan Tomassen
Adriaen Gerritsen

The honorable officer, plaintiff, against Steven Janssen, defendant.

The plaintiff says that the 19th of April the defendant drew his knife on Seger Cornelissen and wounded him with it, on account of which he had the defendant summoned on the 26th of May, who, appearing before the court, maintained that he had done it for cause, offering to prove it. Having thereafter appeared before the court on the [ ] of May, he produced two affidavits, from which it appears that he deliberately, and not because he was forced, drew his knife and therewith wounded Seger Cornelissen, wherefore the officer demands that Steven Janssen, the defendant, be fined fl.300:–, according to the ordinance.

Owing to nonappearance of the defendant, default is entered against him.

The officer, plaintiff, against Henderick Anderiessen, defendant.

The plaintiff says that the defendant, being in decent company, without any provocation, called Magistrate Jacob Schermerhoorn a rascal, a thief and a bloodhound, which charges, if untrue, gravely offend this court of justice and also the director and council of New Netherland who chose the said Schermerhoorn for such office, or else, if true, compel them not only to exclude the said Schermerhoorn from this court of justice, but also to inflict corporal punishment on him, wherefore the plaintiff, as interpleader, demands that the defendant [84] prove that the said Schermerhoorn is a rascal, a thief and a bloodhound, in order to institute his action accordingly.

The defendant says that he gave the officer an answer to the complaint of Jacob Schermerhoorn and at the same time a deposition of Jacob Janssen, his brother-in-law, whereby he proves that he had occasion to do so, and requests time to secure further testimony.

The court grants the defendant eight days' delay to produce further evidence and meanwhile orders the officer to furnish a copy of his complaint, in order to proceed according to law.

Ordinary Session held in Fort Orange, July 4 Anno 1657

President, Johannes Lamontagne — Abraham Staets
Jacob Schermerhoorn — Jan Tomassen
Philip Pietersen — Adriaen Gerritsen

Default. Jan van Eeckelen, plaintiff, against
Default. Christoffel Davids, defendant.
Mattheus Abrahamsen, plaintiff, against
Default. Jan van Hoesem, defendant.
Tryntie Koorninckx,[1] plaintiff, against
Default. Carsten, the Noorman, defendant.
Foppe Barentsen, plaintiff, against

[1] Tryntje Kooninck, or Cooninck.

Default. Cornelis Vos, defendant.

Willem Hofmeyer, plaintiff, against

Default. Jochim Wesselsen, defendant.

Claes Gerritsen, plaintiff, against

Default. Jan Dareth, defendant.

[85] Lowies Cobussen, plaintiff, against

Default. Jacob de loper, defendant.

Mr Jan Baptista van Rencelaer, plaintiff, against Pieter Bronck, defendant.

The plaintiff demands payment of fl.100:– in beavers, or twelve and a half beavers, and fl.426:– in seawan and also a balance of fifty guilders in seawan.

The defendant admits the debt and promises to pay the same in three weeks, or before the departure of the ships which are now at the Manhatans.

The court orders the defendant to pay the plaintiff the sums demanded within the space of three weeks, according to his promise.

Jacob Janssen, plaintiff, against Henderick, the baker, defendant.

The plaintiff demands payment of the sum of fl.297:– in beavers.

The defendant admits the debt, but claims that he is not bound to pay more than two thirds in beavers and one third part in seawan.

The court orders the defendant to pay the plaintiff two thirds of the sum demanded in beavers and the remaining third part in seawan, counting three guilders and ten stivers for each schepel that he must pay for in seawan.

Marcelus Janssen, plaintiff, against Mattheus Abrahamsen, defendant.

The plaintiff demands payment of the sum of fl. 96:19:–.

The defendant admits the debt and promises to pay in the space of fourteen days.

The court orders the defendant to pay the sum demanded

according to his promise within the period of fourteen days, under penalty of peremptory execution.

Marcelus Janssen, plaintiff, against Tryntie Kooninckx, defendant.

The plaintiff demands payment of a certain sum arising from the tapsters' excise.

The defendant says that administrators of the estate have been appointed to whom the plaintiff must apply.

[86] The court refers the plaintiff to the curators appointed to administer the estate of Jacob Luyer, deceased, to obtain payment.

Marcelus Janssen, plaintiff, against Lowies Cobussen, defendant.

The plaintiff demands payment of the sum of fl.38, arising from the farming of the excise.

The defendant admits the debt and asks six weeks' time in which to pay the aforesaid sum.

The court orders the defendant to pay the sum demanded within the space of six weeks, under penalty of execution.

The Honorable Rutger Jacobsen, appearing before the court, declares that he sold his yacht to Harmen Jacobsen Bambus and has been unable to obtain any payment from him. He requests that the said yacht may be attached here, as the said Harmen Jacobsen absents himself from here.

The court orders the attachment of the said yacht here in the name of the Hon. Rutger Jacobsen.

Albert, the wheelwright, appearing before the court, complains that Harmen Jacobsen Bambus, who owes him 20 beavers and fl.150:– in seawan, absents himself from here and keeps himself in hiding in the Esopus. He requests that the said Harman Jacobsen be brought hither at the expense of the party who shall prove to be in the wrong. *Fiat.*

The honorable officer, plaintiff, against Henderick Anderiessen, defendant.

The defendant asks time to produce his evidence. *Fiat.*

[87] Ordinary Session held in Fort Orange, July 10 Anno 1657

President, Johannes Lamontagne
Philip Pietersen Adriaen Gerritsen
Abraham Staets

Jan van Eeckelen, plaintiff, against
Default. Foppe Barentsen, defendant.
Willem Hoffmeyer, plaintiff, against
2d Default. Jochim Wesselsen, defendant.
Jacob Tyssen, plaintiff, against
Default. Jan Gouw, defendant.
Daniel Rinckhout, plaintiff, against
Default. Leendert Philipsen, defendant.
Claes Gerritsen, plaintiff, against
2d Default. Jan Darech, defendant.
Teuwes Abrahamsen, plaintiff, against
Default. Jan Gouw, defendant.
Pieter Jacobsen, plaintiff, against
Default. Cornelis Vos, defendant.
Lourens Lourensen, plaintiff, against
Default. Henderick Bierman, defendant.
Frans Cooninck, plaintiff, against
2d Default. Huybert Janssen and Karsten, the Noorman, defendants.
Jaques, the Frenchman, plaintiff, against
Default. Pieter Stevensen, defendant.

[88] Rutger Jacobsen, plaintiff, against Henderick Bierman, defendant.

The plaintiff, stating that he sold his yacht to Harmen Jacobsen, who is now absent, requests that the excise due by the defendant, of which he [Harmen] is the farmer, and furthermore all other means of the said Harmen Jacobsen in the hands of the defendant, be attached for the benefit of the plaintiff.

The defendant agrees and promises to render an account of all the property of Harmen Jacobsen which is in his hands.

The court enjoins the defendant from letting any property of

Drew Theological Seminary Library

Harmen Jacobsen go out of his hands and from paying out any money, except by order of the court.

Jan van Eeckelen, plaintiff, against Kit Davidtsen, defendant.

The plaintiff demands payment of fl.172:16:– in beavers.

The defendant admits that he owed the plaintiff the aforesaid sum, but maintains that in payment he assigned to him a note for fl.152:– due to him by Cornelis Slecht, which the plaintiff accepted, and offers to pay the balance of fl.20:16.

The court, having heard the parties, orders the plaintiff to be satisfied with the note given to him for the sum of fl. 152:, which he accepted, provided that the defendant pay him fl.20:16.

Volckert Janssen, plaintiff, against Cornelis Teunissen, defendant.

The plaintiff demands payment of fl. 852:15:–, for which the defendant is surety.

[89] The defendant acknowledges his obligation as surety and asks for extension of time of payment.

The court orders the defendant to pay within the space of six weeks.

Extraordinary Session held in Fort Orange, July 11 Anno 1657

President, J. Lamontagne

Jacob Schermerhoorn	Jan Tomassen
Philip Pietersen	Goossen Gerritsen
Abraham Staets	Adriaen Gerritsen

Daniel Rinckhout, plaintiff, against Leendert Philipsen, defendant.

The plaintiff says that he made a verbal contract with the defendant whereby the defendant was bound to accept all the seawan which the plaintiff was to receive in the space of two months and to give therefor beavers at the rate of fl.10:6 per beaver, in accordance with which the plaintiff brought about two hundred and seventy guilders in seawan to the defendant's house and left it there in his absence, which seawan the defendant nine

days later sent back. He demands therefore that the defendant be ordered to fulfil the contract and to accept the seawan which the plaintiff has received and will still receive during the aforesaid time and satisfy him for it.

[90] The defendant acknowledges the contract, but says that the plaintiff did [not] deliver the seawan to him within the time agreed upon.

The plaintiff replies that the period of two months has not yet expired.

The parties, having been heard, the court condemns the defendant to fulfil his contract and to pay the plaintiff the sum of about fl. 270:– in beavers at the rate of fl.10:6:– for each beaver, and according to the contract to accept all the merchantable seawan which the plaintiff shall receive until the end of the term of the said contract and furthermore to pay the costs of the extraordinary session.

Extraordinary Session held in Fort Orange, July 11 Anno 1657

President, Johannes La Montagne

Jacob Schermerhoorn	Jan Tomassen
Philip Pietersen	Goossen Gerritsen
Abraham Staets	Adriaen Gerritsen

Pieter Jacobsen, plaintiff, against Cornelis Vos, defendant.

The plaintiff demands payment of 29 whole beavers which the defendant owes him according to a note which he produces in court, with the interest thereof for the period of one year since the expiration of the term of payment. He demands that the case be expedited, as he is an [91] inhabitant of Amsterdam in New Netherland, and can not come here to attend to his business without suffering considerable loss.

The defendant acknowledges the note and the debt and offers to pay the same promptly in a month.

The courts orders the defendant to pay the plaintiff the 29 whole beavers demanded promptly within the space of one month,

under penalty of paying the expenses and loss which the plaintiff may suffer by reason of his failure to pay, together with the costs of the extraordinary session of the court.

Appeared before me, Johannes La Montagne, commissary of Fort Orange and the village of Beverwyck, the Honorable Rutger Jacobsen and Gerrit Bancker, who offer themselves as sureties for the person of Jurriaen Janssen as far as the payment is concerned of the civil fine which the honorable members of the court may impose on the aforesaid Jurriaen Janssen. Done in Fort Orange, July 20, Anno 1657.

Was signed: RUTGER JACOBSEN
GERRIT BANCKER

[92] Ordinary Session held in Fort Orange, July 17 Anno 1657

President, Johannes Lamontagne
Jacob Schermerhoorn Jan Tomassen Goossen Gerritsen

Tjerck Claessen, plaintiff against
Default. Henderick Gerritsen, defendant
Default. Claes Hendericksen, plaintiff, against
Default. Harmen Bambus and Dirck Bensick, defendant.
Jan Tyssen, plaintiff, against
Default. Jan Gaeuw,[1] defendant
Pieter Anderiessen, plaintiff, against
Default. Jan Gauw, defendant
Default. Gysbert van Loenen, plaintiff, against
Teuwes Abrahamsen, defendant.
Jan, the weaver, plaintiff, against
Default. Willem Hap, Pieter Stevensen, Henderick Claessen, Arent vanden Berch } defendants
Mr van Hamel, plaintiff, against

[1] The same as Jan Gouw.

Default. Lambert van Valckenborch, defendant.
Default. Willem Albertsen, plaintiff, against
Default. Huybert Janssen, defendant.
Default. Adriaen Janssen from Leyden, plaintiff, against
Default. Willem Albertsen, defendant.
Jan van Hoesem, plaintiff, against
Both in default. Henderick Gerritsen and Anderies vander Sluys, defendants.
Tomas Cooninck, plaintiff, against
Default. Gysbert van Loenen, Claes vanden Berch } defendants
[93] Teunis Templier, plaintiff, against
Default. Henderick Bierman, defendant.
Jaques Tyssen, plaintiff, against
Pieter Stevensen, defendant.

The plaintiff demands payment of two beavers, for rent of his house.

The defendant admits the debt and offers to pay in good seawan at the rate of fl.10:– to one beaver, or in beaver value in specie, within the space of three weeks.

The court orders the defendant to pay the sum demanded in three weeks, according to his promise.

Stoffel Janssen, plaintiff, against Jan van Hoesem, defendant.

The plaintiff demands payment of 28 beavers, for which sum he has had attached a certain number of beavers in the hands of Cornelis Teunissen, due to the defendant.

The court orders Cornelis Teunissen to put the attached beavers, to the value of 28, into the hands of the plaintiff, in lieu of payment by the defendant, as soon as his time to make payment shall have expired.

Mattheus Abrahamsen, plaintiff, against Jan Gouw, defendant.

The plaintiff demands payment of three beavers for wages and the costs of the suit.

The defendant, failing to appear for the third time, is because of his contempt ordered by the court to pay the three beavers demanded, together with the costs of the suit, rated at fl.4:–

Jan Labatie, plaintiff, against Gillis Pietersen, defendant.

[94] The plaintiff demands an account and payment for 100 lbs of nails furnished by him to the defendant.

The defendant offers to pay for 50 lbs of the said nails and to give therefor two and a half beavers, presenting at the same time his account.

The plaintiff accepts the offer.

The court, in accordance with the respective offer and acceptance, orders the defendant to pay the plaintiff for the 50 lbs of nails, two and a half beavers. As to the account, it is ordered that the parties shall each choose a referee to settle the same.

Volckert Janssen, plaintiff, against Pieter Stevensen, defendant.

The plaintiff demands payment of fl. 111:– in seawan.

The defendant admits the debt and promises to pay in four weeks.

The court orders the defendant according to his promise to pay the sum demanded in four weeks.

Pieter Adriaenssen, plaintiff, against Mattheus Abrahamsen, defendant.

The plaintiff demands payment of fl. 46:– for expenses incurred for board.

The defendant demands an account of the sum.

The court orders the plaintiff to render an account to the defendant and condemns the defendant to pay the plaintiff the sum agreed upon within the space of 15 days.

Claes Gerritsen, plaintiff, against Jan Dareth, defendant.

The plaintiff demands the return of a gun for which he ordered a new gunstock to be made by the defendant.

The defendant answers that it was stolen from him by the savages and offers to replace it by a new gun, or else to pay the value of it in beavers.

[95] The plaintiff accepts the gun on condition that he may try it. *Fiat.*

Philip, the brewer, plaintiff, against Jan van Hoesen, defendant.

The plaintiff demands payment of the sum of fl.150:– in beavers according to the defendant's promise.

The defendant admits the debt and promises to pay the same in six weeks, or before the departure of the ships for the fatherland.

The court orders the defendant to pay the sum demanded, within the space of six weeks, according to his promise.

Pieter de Maecker, plaintiff, against Dirck Bensick, defendant.

The plaintiff demands payment of 23 beavers for wages. He declares that he has had four beavers in the hands of Dirck Janssen attached and asks that the attachment be declared valid.

The wife of Dirck Bensick appearing in the stead of her husband admits the debt and requests an extension of time until the return of her husband.

The plaintiff replies that he is about to leave and can not wait such an indefinite length of time.

The court orders the defendant's wife to pay the sum demanded, or the balance thereof, within the space of six days, under penalty of execution.

Rutger Jacobsen, appearing before the court, requests that the yacht which he sold to Harmen Jacobsen and which, the said Harmen Jacobsen being a fugitive from justice, has been sent here, may be used by him to carry freight, offering to deposit the rental until a decision is rendered in the case.

The court grants the request.

Pieter Maecker, requests that the two beavers' worth of hardware which he has furnished for the church may be credited to him against the fl.20:– which he promised to give toward the building of the church. *Fiat.*

[96] The officer, plaintiff, against Pieter Bronck, defendant.

The plaintiff says that having been informed that the defendant, on the 17th of this month, contrary to the ordinance, was seen in the woods [with some savages], luring them on and going with them into the village, he has had the defendant summoned to find out the truth of the matter.

Pieter Bronck, the defendant, declares that on the 17th of this month he saw a Christian in the woods with a band of savages, but does not know where he or the savages went.

Being asked by the court to give the name of the person, he answers that he is not an informer and will not give the name of the person.

The court orders Pieter Bronck, within the space of twenty-four hours, under the penalty of fifty guilders, to give the name of the person or to take an oath that he does not know the person.

Extraordinary Session held in Fort Orange, July 18 Anno 1657

President, Johannes La Montagne

Jacob Schermerhoorn	Jan Tomassen
Philip Pietersen	Goossen Gerritsen
Master Abraham Staets	Adriaen Gerritsen

Dirck Keyser, plaintiff, against Jan Roeloffsen, defendant.

The plaintiff demands payment of 13 beavers for merchandise delivered to the defendant and his partner, Jacobus Loockermans.

The defendant claims that his partner, Jacobus Loockermans, paid the beavers demanded and produces a daybook in which was written by way of memorandum that 13 beavers were received and paid.

[97] The plaintiff produces his book, showing by the defendant's account that the defendant still owes the plaintiff thirteen beavers.

The court, having heard both parties and examined both the books, asks the defendant to swear to them, which he refuses to do, demanding that according to law the plaintiff swear to his book, which he does in our presence.

The court, therefore, condemns the defendant to pay the number of thirteen beavers demanded, cash, and in addition the costs of the suit, estimated at 28 guilders.

Extraordinary Session held in Fort Orange, July 19 Anno 1657
President, Johannes La Montagne

Jacob Schermerhoorn	Jan Tomassen
Philip Pietersen	Adriaen Gerritsen

Goossen Gerritsen, plaintiff, against Jurriaen Janssen, defendant.

The plaintiff complains that the defendant has boasted and spread the rumor that he was engaged to Annetie Lievens, his own betrothed, as the defendant said in the plaintiff's presence. He requests that the defendant prove his statement, or else for defamation of his neighbor's character be ordered to make honest reparation.

The defendant admits that he never pledged his troth to Annetie Lievens, nor that she pledged her troth to him, and that Cornelis Teunissen urged him to say that he was engaged to Annetie Lievens and offers to prove that the said Cornelis Teunissen said: "I am glad that Jurriaen Janssen is to keep his word." [98] He furthermore admits that after having confessed in truth before the consistory that he was not engaged to Annetie Lievens, he maintained in the presence of Goossen Gerritsen, the plaintiff, that he was engaged to her, at the instigation, as he said, of the said Cornelis Teunissen, which assertion he declared to be true, praying forgiveness of the plaintiff.

The court, having heard the parties, orders Jurriaen Janssen, the defendant, in view of the seriousness of the matter, to remain under arrest in the fort until he furnish sufficient security for proof in the case. Meanwhile, he is ordered to prove that Cornelis Teunissen instigated him to the said deed.

Upon the petition presented to the court by Leendert Philipsen, praying that a committee be appointed to determine the quality of the seawan which he is to receive from Daniel Rinckhout under a judgment of the 11th of this month, the court has author-

ized the Honorable Sander Leendersen and Pieter Hartgers to determine, after inspection of the seawan in question, which of it is current and which not. Done in Fort Orange, the 19th of July 1657.

Ordinary Session held in Fort Orange, July 28 Anno 1657

President, J. Lamontagne

Jacob Schermerhoorn	Jan Tomassen
Philip Pietersen	Goossen Gerritsen
Abraham Staets	Adriaen Gerritsen

Harmen Jacobsen, plaintiff, against

Default. Abraham Vosburch, Willem Hofmeyer, Marten, the mason, Tjerck Claessen, Henderick Gerritsen, Stoffel Davids, Claes Ripsen, Claes Janssen, Poulus Jurcksz, Pieter Meessen } defendants

[99] Jan, the weaver, plaintiff, against

Default. Pieter Stevensen, defendant.

Harmen Jacobsen, plaintiff, against Henderick Bierman, defendant.

The plaintiff demands restitution of the farmer's book.

The defendant says that the book in his custody was attached by order of the burghers in charge of the farming out of the aforesaid excise while the plaintiff was away from here.

The court orders the defendant, Henderick Bierman, to retain the excise book in his hands and to collect the excise, as the plaintiff left the said excise uncollected, provided that the defendant shall render an accounting of the profit of the said excise to the court, at the expiration of the term, in the presence of the plaintiff and the sureties.

Idem, Harmen Jacobsen, plaintiff, against Henderick Bierman, defendant.

The plaintiff demands payment of seventeen and a half beavers.

The defendant admits the debt and promises to pay within six weeks.

The court, having heard the defendant's admission and promises, condemns the defendant to pay the sum demanded within six weeks, under penalty of execution.

Idem, Harmen Jacobsen, plaintiff, against Pieter Bronck, defendant.

The plaintiff says that he has had the money in the hands of Jan Tomassen, which was attached by the defendant, reattached in the said hands, as the defendant had agreed to take it or accepted it in payment of a certain debt and then, by means of a new account, had tried to have the said account, which was to be paid in beavers, [100] serve in payment of his last claim against Kit Davids, leaving the payment of this last claim, which was to be in seawan, to the plaintiff. He produces a deposition of Henderick Bierman and Evert Noldinck, in which they attest that the defendant, Pieter Bronck, after the liquidation of accounts, agreed to demand payment from Kit Davids.

The defendant denies that he made any such agreement.

The court orders Henderick Bierman and Evert Noldinck to confirm their affidavit by oath in the presence of the court or in the presence of two magistrates.

Idem, plaintiff, against Barent Albertsen, defendant.

The plaintiff demands payment of six beavers for a barrel of meat.

The defendant admits the debt.

The court orders the defendant to pay within six weeks.

Idem, plaintiff, against Jacob Loper, defendant.

The plaintiff demands payment of six and a half beavers for a cart.

The defendant denies that the plaintiff delivered the cart to him, but admits that he bought it.

The court orders the defendant to pay the six and a half beavers within the space of 14 days, under penalty of execution.

Jan Eerhaer, plaintiff, against Kit Davidsen, defendant.

The plaintiff demands payment of the sum of fl.248:–.

The defendant admits that he did owe the sum demanded, but says that he paid fl.32:– on account and offers to pay the balance within the space of fifteen days.

[101] The court orders the defendant to pay the balance within the space promised by him, under penalty of execution.

Jan van Eeckelen, plaintiff, against Foppe Barentsen, defendant.

The plaintiff demands payment of fl.22:– for wages and some materials delivered by him.

The defendant admits that he owes the plaintiff for the making of three coats, but claims that the defendant[1] did not earn as much as that making them.

The court, having heard the parties, orders Jan Verbeeck and Jacob Tyssen, who have knowledge of such matters, to judge of the wages demanded, wherewith the parties are to be satisfied.

President, Jacob Schermerhoorn
Philip Pietersen
Jan Tomassen
Adriaen Gerritsen

The honorable officer, plaintiff, against Jacob Loockermans, defendant.

The plaintiff says that on the 22d of July of this year, Anno 1657, being a Sunday, the defendant, deliberately and without any occasion, shamefully cut Meuwes Hoogenboom with his knife, so that the said Meuwes Hoogenboom will be disfigured all his life, the wound extending from the left side of his fore-

[1] Thus in the original. Intended for plaintiff.

head to the lower lip and reaching down to the bone. And whereas such a deed is against the ordinance of the High and Mighty Lords the States General and contrary to the placards published here, the plaintiff, in his official capacity, demands that the defendant, in accordance with the aforesaid ordinance and placards, be condemned to pay a fine of three hundred guilders and in addition be ordered to compensate the patient for his suffering and lost time and to pay the surgeon's fee, or, in default thereof, that the defendant, instead of being sent to prison, be employed in the hardest labor which can be found in this country for the space of eighteen months.

The defendant admits having committed the deed and sues for pardon.

[102] The court, having heard the defendant's confession and seen the depositions of six irreproachable witnesses, who jointly attest that the defendant, deliberately and without cause shamefully disfigured Meeuwes Hoogenboom with his knife, condemns the said Jacob Loockermans, in accordance with his confession and the testimony produced, to pay the sum of three hundred guilders and compensation for pain, lost time, board and medicines of the interested party, which sums he is to pay while in irons, or, in default thereof, he is condemned to earn the said sums by the hardest kind of labor during the space of eighteen months, according to the ordinance.

Jurriaen Janssen, appearing in person before the court, declared in the presence of Goossen Gerritsen that the words which he spoke to the aforesaid Goossen Gerritsen, to wit, that he was engaged to Annetien Lievens, the present fiancee of Goossen Gerritsen, were false, and begged forgiveness of the said Goossen Gerritsen.

Goossen Gerritsen declares before the court that he has had sufficient satisfaction from Jurriaen Janssen, considering his youth.

The court grants Goossen Gerritsen a certificate of satisfaction and orders Jurriaen Janssen to compound with the officer about the pecuniary fine.

Extraordinary Session held in Fort Orange, August 1 Anno 1657

President, Johannes La Montagne

Jacob Schermerhoorn — Goossen Gerritsen
Jan Tomassen — Adriaen Gerritsen

Reyndert Hoorn, plaintiff, against Adriaen Symonsen, defendant.

The plaintiff demands payment of 108 beavers, due according to his note.

[103] The defendant admits the debt and promises to pay cash, saying that he has never refused to pay and claims that he is not bound to pay any expenses. Whereupon appeared Jan Gouw and Jan Barensen, who attested that Adriaen Symonsen said: "I shall not pay you until you have an extraordinary session called."

The court orders the defendant to pay the plaintiff the required number of beavers, to wit, 108, cash, according to his confession and promise, under penalty of execution, together with one half of the costs.

Whereas last Sunday, being the 12th of this month of August Anno 1657, during the preaching, some drunken savages committed many acts of insolence in this place and upon making inquiries a Maqua Indian was found, named Kamgeragae, who declared that he knew a house where the savages obtained the brandy and offered, if we gave him a beaver, to get brandy in the said house; therefore, we, Johannes La Montagne, officer, Philip Pietersen Schuyler and Jan Tomassen, magistrates, in

view of the seriousness of the matter, on the 13th of the said month, having given a beaver to the aforesaid Indian, followed and accompanied him with Henderick Jochimsen, lieutenant of the burgher guard, which Indian went to the south side of the boundary line, having in his hand an empty kettle, which we have had in our hands, and with this empty kettle went into the house of Marten *Bierkaecker*,[1] we together remaining near the said house to watch the result. But as there were strangers in the said house, [104] as we ourselves could hear from the noise, the Indian came back to us with his kettle empty. About three quarters of an hour later the said Indian again went into the said house and came back to us having in his kettle about three pints of brandy and sugar, which he had obtained for the beaver which we had given him, so that we took the kettle with us and went into the house of the said *Bierkaecker*, where we found him and his wife quite amazed after we had asked them whether they had sold the brandy that was in the kettle to a savage with a white blanket for one beaver, as we had seen the said savage go in and out of the house. All of which, we, the undersigned, upon oath declare to be true. Done in Fort Orange, the 15th of August Anno 1657.

Was signed: Johannes La Montagne, Philip Pietersen Schuyler, Jan Tomassen and Henderick Jochimsen.

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[1] Marten Hendricksen.

Interrogatory of Marten *Bierkaecker*, inhabitant and innkeeper here, held at the request of J: Lamontagne, in his capacity of officer of Fort Orange and the village of Beverwyck, before the magistrates of the said court, the 15th of August Anno 1657.

1 How old he is and where born?

Answers: 30 years, born in Oldenborch. Susanna, his wife, answers: Aged 23, born in New England.

2 Whether he ever sold brandy to the savages?

Answers: No.

Susanna answers: Yes.

3 Whether his wife, to his knowledge, ever sold any brandy to the savages?

Answers: No.

4 Whether anybody in his house ever sold any brandy to the savages?

Answers: No.

5 Whether on Monday, the 13th, he did not see or know that a savage with a white blanket came into his house about nine o'clock in the evening and asked to buy a beaver's worth of brandy?

Answers: He saw the savage and threw him out of doors in the presence of Marten Cornelissen and Seger Cornelissen.

His wife answers: Yes.

6 Whether the said savage, about three quarters of an hour later, did not come into his house and again asked to have a beaver's worth of brandy?

Answers: He did not see the savage again.

His wife answers: Yes.

7 Whether he, himself, or his wife, to his knowledge, did not sell brandy to the said savage for one beaver?

Answers: He does not know.

His wife answers: Yes.

[106] Ordinary Session held in Fort Orange, August 20 Anno 1657

Present: Johannes Lamontagne
Jacob Schermerhoorn Jan Tomassen
Philip Pietersen Goosen Gerritsen

Mr van Hamel, plaintiff, against
Default. Abraham Pietersen Vosburch, defendant.
Harmen Jacobsen, plaintiff, against
Default. Cornelis Vos, defendant.
Idem, plaintiff, against
Default. Adriaen Appel, defendant.
Idem, plaintiff, against
Default. Claes Ripsen, defendant.
Pieter Quackenbosch, plaintiff, against
Default. Pieter Bosboom, defendant.
Jan van Hoesem, plaintiff, against
Default. Gysbert van Loenen, defendant.
Teunis, the mason, plaintiff, against
Default. Jan Gaeuw, defendant.
Harmen Jacobsen, plaintiff, against
Default. Jan Gaeuw, defendant.

Mr van Hamel, plaintiff, against Pieter Loockermans, defendant.

The plaintiff demands payment of eight beavers and fl.9 in seawan.

The defendant admits the debt and promises to pay within the space of one month, in beavers, or in seawan, reckoned at fl.12:– for one beaver.

The court, having heard the confession and the promise of the defendant, orders him to pay the sum demanded within the promised time of one month, under penalty of execution.

Harmen Jacobsen, plaintiff, against Pieter Bronck, defendant.

The plaintiff says that he has had some money attached, belonging to the defendant.

The court adjourns the case until the next court day when

the parties are to bring in their evidence. Meanwhile, the money remains attached.

Idem, plaintiff, against Jan Dareth, defendant.

The plaintiff demands an account of a certain amount and settlement thereof.

The defendant produces his account in court.

The court orders the defendant to give the plaintiff a copy of his account and to settle with each other.

Idem, plaintiff, against Pieter Meessen, defendant.

The plaintiff demands payment of the sum of fl.17:–

The defendant admits the debt.

The court orders the defendant to pay the sum demanded in eight days, under penalty of execution.

Idem, plaintiff, against Daniel Rinckhout, defendant.

The plaintiff demands that the defendant take back the sum of fl.55 which he gave him in payment.

The court having seen the seawan adjudges the same not merchantable and condemns the defendant to take back the said seawan and to deliver other seawan in its stead within the space of eight days.

[108] Idem, plaintiff, against Poulus Jurcksen, defendant.

The plaintiff demands payment of fl.8:–

The defendant denies the debt.

The parties having been heard, the court dismisses the plaintiff's complaint.

Idem, Harmen Jacobsen, plaintiff, against Willem Hoffmeyer, defendant.

The plaintiff demands payment of the sum of fl.13:10–

The defendant admits the debt.

The court orders the defendant to pay the sum demanded within the space of eight days.

Idem, plaintiff, against Gerrit Hendericksz, defendant.

The plaintiff demands payment of the sum of fl.103:19:–

The defendant admits the debt.

The court orders the defendant to pay the sum demanded within the space of 15 days, under penalty of execution.

Extraordinary Session held in Fort Orange, August 20 Anno 1657

President, Jacob Schermerhoorn
Philip Pietersen Adriaen Gerritsen
Jan Tomassen

Goossen Gerritsen and the officer, as interpleader, against Teunis Cornelissen and Marretien, his wife, defendants.

Goossen Gerritsen, plaintiff, complains that the defendants in the month of February of this year, in his absence, came into his house and committed great insolence there. He produces the information taken by the aforesaid officer in regard to said excesses and requests justice in the matter.

The defendant requests time until the next court day to produce his counter evidence.

The court grants the defendant time until the next court day.

Idem, the officer, plaintiff, against Susanna Janssen, wife of Marten, the *bierkaecker*, defendant.

The plaintiff says that on Sunday, being the 12th, he discovered a savage about ten o'clock in the evening who came from the house of Marten *Bierkaecker*, having with him a kettle in which was brandy and other strong liquor, as he proves by the testimony of three witnesses, given on the 15th of the aforesaid month, and also by the confession of the defendant herself. And whereas this is a deed of very dangerous consequence, in violation of the placards issued by the honorable director general and council of New Netherland, and a deed which can not be tolerated in a place where justice prevails, therefore, the said La Montagne, in his capacity of officer, demands that the said Susanna Janssen, in accordance with the said placards, be condemned to pay a fine of fl.500: and the costs of the suit and furthermore be banished from this jurisdiction for the term of six years.

The defendant again confesses that she committed the said deed, but says that she was moved thereto by extreme poverty, her husband having double hernia and being therefore unable to

earn his living and she being burdened with three small children, for whom she can buy no food except with beavers, which she the week before had tried to buy in many places for seawan at fl.12:– apiece, but could not get. That, finally, she was asked [for the liquor] by a savage, who came twice to her house at night with a beaver, for which she gave him three pints of beer, brandy, French and Spanish wine, mixed together, praying of the court [110] forgiveness in consideration of her youth and extreme poverty, promising never to do so again.

The court, considering the dangerous consequences of the case and the severe placards, condemn the said Susanna Janssen, in accordance with the said placards, to pay a fine of ..... [amount left blank].

Ordinary Session held in Fort Orange, September 4 Anno 1657

President, Johannes Lamontagne

Philip Pietersen	Goossen Gerritsen
Jan Tomassen	Adriaen Gerritsen

Mr van Hamel, secretary of the colony of Rensselaerswyck, plaintiff, against Lambert van Valckenborch, defendant.

The plaintiff says that the defendant on the 9th of July last, at a public sale which took place in the colony of Rensselaerswyck bought the grain standing in the field of the farm which is now occupied by Jan Labite for the sum of fl.700:–, according to the conditions of the sale, and because the defendant was unable to furnish sureties, the plaintiff was forced to have the said grain again publicly sold in the village of Beverwyck on the 12th of July, when it was knocked down at fl.570:–, and [111] as the plaintiff is bound to make good the loss suffered by the seller, he requests that the defendant according to legal custom and practice be ordered according to the conditions of the sale to make up the difference in the amount brought by the grain and also pay cash the auction fees and other expenses, amounting to the sum of one hundred and ninety-eight guilders,

to wit: fl.103 [1] for the difference in bids, fl.35 for auction fees, fl.3 for commissions, fl.12 for brandy consumed and fl.18 for beer, and that the defendant be constrained to pay said sum by apprehension of his person.

The defendant admits the debt but says that there was no more than fl.4 worth of brandy drunk.

The court, having heard the parties, condemn the defendant to pay within eight days, under penalty of execution, or apprehension of his person the sum of fl.130 for the difference in bids, fl.3 for commissions and fl.35 for auction fees, amounting to the sum of fl.168:– and order the defendant to settle with the tavernkeeper as to the balance of the sum demanded.

Daniel Rinckhout, plaintiff, aganist Jan de Graef and Pieter Bosboom, defendants.

The plaintiff demands payment of fl.8:–

The defendant admits the debt.

The court orders the defendant to pay the sum demanded cash.

Idem, Rinckhout, plaintiff, against Pieter Wollebrant, defendant.

The plaintiff demands payment of fl.60:–

The defendant admits the debt.

The court orders the defendant to pay the sum demanded within the space of six weeks.

Harmen Bastiaensen, plaintiff, against Meyndert Fredricksen, defendant.

[112] The plaintiff complains that the defendant has called him a hay thief.

The defendant denies having said this, but admits that he said that he had had his hay which he cut carted away and demands restitution of the said hay.

Tjerck Claessen, being called as a witness, declares that he heard Meyndert Fredricksen say: "Harmen Bastiaensen has taken my hay," but not that he said that he was a thief.

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[1] This should be fl.130:–

The parties having been heard, the court orders Harmen Bastiaensen, the plaintiff, to restore the hay to the defendant within the space of eight days and furthermore on the next court day to prove that the defendant called him a thief.

Jan Bemboo, plaintiff, against Teunis Jacobsen, defendant.

The plaintiff demands restitution of 20 cans of Spanish wine, of which he suffered the loss through the breaking of the half-aam, which the defendant, as beer carrier, let drop from the barrel lifter.

The defendant says that the loss was caused by the weakness of the rim of the half-aam and promises to prove it on the next court day. *Fiat.*

Eldert Gerbertsen, plaintiff, against
Default. Arent Andriessen, defendant.

Willem Bout, plaintiff, against
Default. Henderick Gerritsen, defendant.

Pieter Bosboom, plaintiff, against
Default. Marten, mason, defendant.

Carsten Claessen, plaintiff, against
Default. Jan Roeloffsen, defendant.

Harmen Jacobsen, plaintiff, against
Default. Adriaen Appel and Claes Ripsen } defendants

[113] Extraordinary Session held in Fort Orange, September 4 Anno 1657

Present: J. Lamontagne, that is to say Philip Pietersen
Jan Tomassen Adriaen Gerritsen
Goossen Gerritsen

The officer, plaintiff, against Henderick Andriessen, defendant.

The plaintiff says that the defendant on August 26, about ten o'clock in the evening, stood with naked sword in the middle of the street. He produces Jan Anderiessen, Abraham van Coesan

and Rem Janssen as witnesses and requests that they be examined in regard to the matter.

Jan Anderiessen, appearing before the court, declares that on the 26th of August, about ten o'Clock in the evening, he saw Henderick Anderiessen standing in the middle of the street with a naked sword in his hand, but did not see him molest or threaten any one.

Abraham van Coesan declares that on the 26th of August, about ten o'clock in the evening, he saw Henderick Anderiessen with a naked sword standing in the middle of the street and coming with the sword toward the deponent, who said to him: "Keep away from me." He declares that he did not know with whom he was dealing, but noticed that he was drunk.

Rem Janssen says that on the 26th of August, about ten o'clock in the evening, he saw Henderick Anderiessen, being drunk, standing in the middle of the street with a naked sword in his hand, which sword his wife gently took away from him.

[112 bis] Extraordinary Session held in Fort Orange, September 5 Anno 1657

Present: La Montagne
Jacob Schermerhoorn
Philip Pietersen
Jan Tomassen
Goossen Gerritsen
Adriaen Gerritsen

Ulderick Kleyn, plaintiff, against Eldert Gerbertsen, defendant.

The plaintiff complains that the defendant, last Wednesday, being the 29th of August, called his wife a woman who had been flogged and branded on the scaffold at Amsterdam and said that she had committed adultery with the crazy farmer and *hageboom*[1] named Jacob Klomp.

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[1] Hedgethorn, or hawthorn; here apparently used in the sense of a vagabond, perhaps with allusion to the expression "*achter de haag getrouwd zijn*" (to be married behind the hedge), which corresponds to the English expression "to marry over the broomstick."

The defendant answers that the plaintiff's wife first called him a rascal and a thief and his wife a whore.

The plaintiff produces depositions of four women, which confirm the plaintiff's complaint.

The defendant in rebuttal produces Albert Gysbertsen, wheelwright, who, appearing before the court, declares that last Wednesday, being the 29th of August, Eldert Gerbertsen being at his house to settle accounts with him, there came to the said house Baefien Pietersen, the wife of Ulderick Kleyn, who dunned him about some debts in such a way that a dispute arose between them and the said Baefien Pietersen took hold of the said Eldert and called him a rascal.

The court, having heard the parties, orders the defendant to prove by sufficient witnesses that Baefien Pietersen first assailed and slandered him, in order according to the circumstances of the case to administer law and justice to the parties.

[113 bis] The court, having seen the written report of magistrates Rutger Jacobsen and Anderies Herbertsen, arbitrators appointed by the court on October 7, 1656, in which they, after examination of the previous and subsequent debts between Femmetjen, the bakeress,[1] and Michiel Teunissen, find that to satisfy the debts made by the said Michiel Teunissen and Femmetjen, the bakeress, during their association or partnership, there is still due by the said Michiel Teunissen the sum of fl.84:10, the court confirms the opinion and findings of the aforesaid magistrates and hereby condemns Michiel Teunissen to pay to Femmetie, the bakeress, the sum of fl.84:10, on condition that the said Michiel Teunissen shall thereby be released from all debts which were contracted during their partnership.

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[1] Femmetje Alberts, the widow of Hendrick Jansen Westerkamp, baker.

Ordinary Session held in Fort Orange, October 2 Anno 1657

Present: La Montagne
Jacob Schermerhoorn
Philip Pietersen
Jan Tomassen
Goossen Gerritsen
Adriaen Gerritsen

Adriaen Appel, plaintiff, against
Default. Lubbert, Labitee's servant, defendant.

Evert Noldinck, plaintiff, against
Lubbert, Labitee's servant, defendant.

Marcelus Janssen, plaintiff, against

Default. Foppe Barentsen, Master Adriaen[1] } defendants

Pieter Stevensen, plaintiff, against
Default. Henderick Gerritsen, defendant.

[114] The honorable officer, plaintiff, against
Default. Cornelis Teunissen, defendant.

Cornelis Cornelissen, plaintiff, against
Daniel Rinckhout, defendant.

The plaintiff demands payment for his house.

The defendant maintains that the house was not delivered according to the bill of sale and that the seller has thus far not finished two chimneys, nor made the attic tight, according to said bill of sale.

The court, having heard the parties, orders the plaintiff to deliver the house in question in accordance with the contract of sale, or in default thereof to have it finished out of the amount of the first pay.

Carsten Claessen, plaintiff, against Jan Roeloffsen, defendant.

The plaintiff demands payment of 22 beavers for a horse sold to him, [the defendant].

The court, having heard the parties, orders the defendant to pay the plaintiff 22 beavers within the space of two months.

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[1]Adriaen Jansen van Ilpendam, schoolmaster, and afterwards a public notary.

The honorable officer, plaintiff, against Engeltjen Cornelissen, defendant.

The plaintiff says that the defendant on the 14th of September went into the house of Wynant, the cabinet maker (*kistemaecker*), and without any cause insulted and beat said Wynant's wife, named Tryntie Melgers, for which assault, committed against the law, he demands reparation and justice.

The defendant admits having committed such an assault, not in the house, but on the door sill [115] thereof, having first been attacked by Tryntie Melgerts and offers to prove this on the next court day.

The court, having heard the parties, orders the defendant to prove her assertion by sufficient witnesses.

[116][1] Ordinary Session held in Fort Orange, November 13, 1657

Present: La Montagne
Jacob Schermerhoorn
Philip Pietersen
Jan Tomassen
Goossen Gerritsen
Adriaen Gerritsen

Evert Noldinck, plaintiff, against Jacob Teunissen, defendant.

The plaintiff demands payment of fl.106:4:–

The defendant admits the debt and promises to pay the same in 14 days.

The court orders the defendant to pay the plaintiff the sum of fl.106:4: within the aforesaid time, under penalty of execution.

Evert Noldingh, plaintiff, against Anderies van der Sluys, defendant.

The plaintiff demands payment of fl.28:15:–

The defendant admits the debt and promises to pay the same cash.

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[1] The remainder of page 115 is blank.

The court orders the defendant to pay the same within the space of 24 hours, according to his promise.

Evert Noldinck, plaintiff, against

Default. Pieter Stevensen, defendant.

Idem, plaintiff, against

Default. Jan, the weaver, defendant.

Tomas Pouwels,[1] plaintiff, against

Barent Albertsen, defendant.

The plaintiff demands damages for the loss which he suffered on a consignment which the defendant [in violation of] the ordinance took without the plaintiff's knowledge and for which he offers fl.9:10.

The defendant admits the debt.

[117] The court, having heard the parties, condemn the defendant to pay fl.9:10 to the plaintiff and fl.25 to the officer, according to the ordinance.

Teunis Jacobsen, plaintiff, against Lourens Baliner, defendant.

The plaintiff, pursuant to the late order of the court, produces before the court the half aam from which the Spanish wine in question was spilled in the falling of said cask caused by the weakness of the rim thereof, offering to confirm on oath that the said cask fell on account of its poor condition.

The court, having heard the parties and examined the half aam which was broken at the rim, adjudge that [the accident] was not the fault of the plaintiff, beer carrier, and therefore releases him from all liability and orders the defendant to recover his loss from the merchant who delivered the wine in the said cask.

Leendert Philipsen, plaintiff, against Henderick, the baker, and his wife, defendants.

The plaintiff complains with Anderies Herbertsen about some atrocious slander, in proof whereof he produces some depositions.

The defendant asks for copies of said depositions.

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[1] Thomas Powell.

The court, having heard the parties, orders the plaintiff to furnish the defendant with copies of the depositions which he produced in court, in order to make answer thereto on the next court day.

Marritjen Hendericksz, plaintiff, against Lowies Cobussen, defendant.

The plaintiff demands payment of the rent of her house, amounting to the sum of 18 beavers.

[118] The defendant admits the debt, but says that he can not pay in beavers.

The court, having heard the parties, condemns the defendant to pay the sum demanded within the space of six weeks.

Ulderick Kleyn, plaintiff, against Eldert Gerbertsen, defendant.

The plaintiff asks that the defendant produce his evidence according to the last court order.

The defendant excuses himself on account of a severe accident which he met with since and asks time until the next court day. *Fiat.*

Ordinary Session held in Fort Orange, November 27 Anno 1657

Present: La Montagne
Jacob Schermerhoorn Philip Pietersen Jan Tomassen
Goossen Gerritsen Adriaen Gerritsen

Teunis Spitsbergen and Barent Pietersen, plaintiffs,
Default. against Wynant Gerritsen, defendant.

Robbert Engel, plaintiff, against
Default. Henderick Gerritsen, defendant.

Foppe Barentsen, plaintiff, against
Default. Egbert Sandersen, defendant.

Pieter Stevensen, plaintiff, against
Default. Adriaen Appel, Barent Albertsen, Henderick Gerritsen } defendants.

Default. Gillis Fonda, plaintiff, against
Default. Henderick Gerritsen, defendant.
Evert Noldingh, plaintiff, against
Default. Claes van Rotterdam, defendant.
[119] Gerrit Swart, sheriff of the colony of Rensselaers-
Default. wyck, plaintiff, against Dirckjen Harmens, defendant.
Harmen Janssen, plaintiff, against
Default. { Claes van Rotterdam / Abraham Vosburgh } defendants.

Baefjen Pietersen, plaintiff, against Eldert Gerbertsen, defendant.

The defendant produces his depositions, according to the last order.

The plaintiff asks that the witnesses appear before the court to swear to their depositions.

The court, seeing the reasonableness of the request, orders the defendant to have his witnesses appear before the court on the next court day to confirm their testimony on oath.

Anderies Herbertsen and Leendert Philipsen, plaintiffs, against Henderick, the baker, and his wife, defendants.

The court, having heard the parties, orders the parties respectively to communicate their depositions to each other before the next court day, in order to pronounce judgment according to the merits of the case.

Jan Roeloffsen, plaintiff, against Henderick Reur, defendant.

The plaintiff demands payment of five beavers earned on the defendant's house.

The defendant admits the debt, but as the work which the plaintiff agreed to do four years ago was not finished, he claims that he is not bound to pay the five beavers, but on the contrary claims that he is entitled to damages for the loss which the defendant suffered thereby.

[120] The court, having heard the parties, orders that each shall choose a referee to settle the matter to the best of their knowledge.

Jan van Eeckelen, plaintiff, against Jan de Graeff, defendant.

The plaintiff demands payment of the sum of fl.84:14.

The defendant denies the debt.

The court orders the plaintiff to prove his claim on the next court day.

Rutger Jacobsen, plaintiff, against Harmen Jacobsen, defendant.

The plaintiff demands security for his yacht which he sold to the defendant and for which he has thus far not been paid, as he has heard that the defendant has alienated the said yacht.

The defendant admits having bought the said yacht which was to be paid for according to certain conditions and declares that he can not furnish any security.

The court orders that the yacht in question shall remain attached until the defendant has satisfied the plaintiff.

Ordinary Session held in Fort Orange, December 11 Anno 1657

Jacob Tyssen, plaintiff, against Jan Gauw, defendant.

The plaintiff says that the defendant owing him eight beavers, he has caused the defendant to be cited for the third time for the recovery of the said number of beavers. The latter remaining in default, he asks judgment in the amount of the said beavers.

[121] The court having according to law caused the defendant to be summoned three times by the court messenger and he not appearing, declares him to be in contempt and condemns him because of his contempt of court to pay the plaintiff the required eight beavers within the space of eight days and the costs of the trial, under penalty of execution.

Tomas Janssen Mingael, plaintiff, against
Default. Christoffel Davids, defendant.

Pieter Jacobsen Quackenbosch, plaintiff, against
Default. Pieter Jacobsen Bosboom, defendant.

Teunis Spitsbergen and his partner, plaintiffs, against
Default. Wynant Gerritsen and Jan, the weaver, defendants.

Foppe Barentsen, plaintiff, against
Default. Egbert Sandersen, defendant.
Anderies de Vosch, plaintiff, against
Default. Jan van Breemen, defendant.
Jacob Tyssen van der Heyden, plaintiff, against
Default. Jan Gaeuw, defendant.
Cornelis van Breuckelen, plaintiff, against
Default. Dirckjen Martensen, defendant.
Tomas Janssen Mingael, plaintiff, against
Christoffel Davids, defendant.

The plaintiff says that he settled with the defendant about the rent of the house of Jacob Anderiessen for fl.50:–

The defendant admits that he did so, but says that he was drunk.

The court refers the case to referees to be chosen by the parties respectively.

[122] Teunis Spitsbergen and his partner, plaintiffs, against Wynant Gerritsen, defendant.

The plaintiffs demands payment of 18 beavers and fl.1:10–

The defendant admits the debt according to the account.

The parties having been heard, the defendant is ordered by the court to pay the said number of 18 beavers and fl.1:10– within three months.

Andries de Vosch, plaintiff, against Jan van Breemen, defendant.

The plaintiff demands payment of fl.254:–

The defendant admits that he was indebted to the plaintiff, but does not know how much and demands an account from the plaintiff.

The court orders the plaintiff to render an account to the defendant.

[124][1] Account of the fines which according to the court record have been imposed from the 4th of October Anno 1656 until the last of December Anno 1657.

[1] Page 123 is blank.

Receipts

Page	2	Henderick Hendericksen, baker is fined	fl. 68:–
	4	Egbertjen Egberts is fined	300:–
	6	Willem Hoffmeyer is fined	500:–
	8	Dirckjen Harmens is fined	300:–
	23	Tomas Chambert is fined	150:–
	63	Hans de Vosch is fined	300:–
	70	Pieter Bronck is fined	100:–
	77	Frans Barentsen is fined	100:–
	102	Jacob Loockermans is fined	300:–
			fl.2118:–

Of the above fines, by order of the Hon. Director General, the half is appropriated to the honorable magistrates of Fort Orange and the village of Beverwyck, amounting to.....fl.1059:–

[125] Expenditures

Magistrate Rutger Jacobsz has received from Henderick Hendericksz, baker, fl. 68:–

The magistrates have agreed to demand the payment of the fine of Egbertjen Egberts because her husband worked on the church 300:–

1656
October 21

Paid by order of the magistrates to Tomas Janssen Mingael and Willem Bout 50:–

1657
April 7 and 17

Paid by Jochim Wesselsen for Willem Hoffmeyer to Jan Roelofsen and Stoffel Janssen for wages earned on the church 150:–

August 10

Paid by Dirck Bensick to Françoys Boon for freight of the pulpit and the bell [32:–][1]

August 15

To Philip Pietersen Schuyler by Willem Fredricksz Bout for a savage the sum of fl.60:–, so that the magistrates are bound to pay 30:–

October 6

Paid by Pieter Bronck on account of the fine of Hans Vosch and Pieter Meessen for wages earned on the church 100:–

December 27

Paid by Philip Hendericksz to Stoffel Janssen on account of the fine of Hans de Vos 100:–

Total fl. 830:–

[126] Receipts

Carried forward from the preceding page.....fl. 1059:–

which amount is due to the honorable magistrates, to wit, the half of the fines aforesaid.

Also paid to their honors, due to me by balance of accounts .....fl. 112: 18:–

Total fl. 1171: 18:–

[127] Expenditures

Carried forward from the preceding page.....fl. 830:–:–

[1] Destroyed.

1657		
August 18		
	Paid to Willem Fredricksz Bout for tavern expenses when the magistrates made an agreement with Meyndert and Carsten Fredricksz about the place where the house of Jan van Aecken stood	75:–:–
November 15		
	Paid to Symon Janssen Romeyn for nails for the church.....	7: 10:–
1658		
January 18		
	Paid to Jan van Aecken on the order of the magistrates for the sum of fl.209 for work on the church, which order is signed N.I., the sum of.....	80:–:–
ditto		
	To the same by the wife of Jacobus Loockermans on account of the fine imposed on her husband	68:–:–
ditto		
	To the said Jan van Aecken by cash in payment in full of the sum of fl.209:– earned by him in working on the church.....	11: 8:–
	Frans Barentsen has given the magistrates a note payable out of his honorarium for the amount of the fine due by him.....	50:–:–
	Pieter Bronck still owes the court on account of his fine.....	59:–:–
	Total	fl. 1171: 18:–

[128] Account of the fines
Debit

1656
October 14

By order of the honorable director general and council of New Netherland granted to the deaconry one sixth part of the said fines, amounting to the sum of .....fl. 353:–

[129] Account of the fines
Credit

1657
February 15

To the deaconry paid by Jan Michielsz .....fl. 80:–:–

1658
March 2

To ditto by Jacob Loockermans 52:–:–

Ditto 6

To ditto by ditto Loockermans 68:–:–

Ditto 28

To ditto by Dirck Bensingh 100:–:–
To ditto by Jan Martensz 24:–:–
To ditto by Pieter Bronck 16:–:–

fl. 340:–:–
There remains due by balance of accounts 13:–:–

fl. 353:–:–

PART II

Court Minutes of Fort Orange and Beverwyck 1658

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[1][1] In the Name of the Lord, Amen.

Continuation of the minutes of the court of justice of Fort Orange, the village of Beverwyck and the dependencies thereof, established *in loco* on the 10th of April Anno 1652, by the honorable director general and council of New Netherland

Ordinary Session held in Fort Orange, January 8 Anno 1658

Present: La Montagne

Jacob Schermerhoorn	Jan Tomassen
Philip Pietersen	Goossen Gerritsen
Abraham Staets	Adriaen Gerritsen

Tomas Janssen Mingael, plaintiff, against Christoffel Davidts, defendant.

The parties having been heard, the court, in accordance with the previous decision, orders each party to choose a referee, which the plaintiff did in our presence, whereupon Tomas Janssen chose Cornelis Teunissen Bosch and the defendant, Christoffel Davids, Willem Brouwer.

Adriaen Appel, plaintiff, against Christoffel Davids, defendant.

The plaintiff demands payment of fl.93:12 per balance due for board and other items.

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[1] The following minutes, for 1658, are translated from the original record in the Albany county clerk's office, entitled: *Court Minutes*, 2, 1658–1660 (*Mortgage* No. 1, 1652–1660), p. 1–114.

[2] The defendant admits the debt and promises to pay it within the space of six weeks.

The court condemns the defendant to pay the aforesaid sum of fl.93:12 within six weeks.

Teunis Spitsbergen, plaintiff, and his partner, against Dirckjen Harmens.

The plaintiff demands payment of fl.60:–

The defendant agrees to pay.

The court orders the defendant to pay the sum of fl.60:– cash.

Lowies Cobussen, plaintiff, against

Default. Dirck Bensick and Pieter Bronck

Cornelis van Breuckelen, plaintiff, against Dirckjen Harmensen, defendant.

The plaintiff demands delivery of an anker of brandy for which he made cash payment in beavers.

The defendant says that the beavers were no good.

The parties having been heard, [the court] orders and condemns the defendant to satisfy the plaintiff within the space of eight days.

Anderies de Vos, plaintiff, against Jan van Breemen, defendant.

The plaintiff demands payment of the sum of fl.225:– and 12 schepels of wheat.

The defendant requests time to adjust accounts with the plaintiff.

The court orders the plaintiff to adjust accounts with the defendant.

Dirckjen Harmens, plaintiff, against

Default. Willem Hoffmeyer, defendant.

[3] Evert Noldinck, plaintiff, against Pieter Stevensen, defendant.

The plaintiff demands payment of the sum of fl.57:15 for excise.

The defendants admit the debt.

The court orders the defendant to pay the plaintiff the aforesaid sum of fl.57:15, within the space of one month.

Pieter Winnen, plaintiff, against

2d Default. Pieter Loockermans, defendant.

Philip Pietersen, plaintiff, against

Default. Mattheus Abrahamsen, defendant.

The honorable officer, plaintiff, against Jan Teunissen, defendant.

The honorable plaintiff complains that the defendant in violation of the ordinance published here has sold brandy to the savages. The honorable plaintiff requests therefore that the defendant be condemned to pay a fine of fl.500, in accordance with the ordinance.

The defendant denies that he did so and demands proof.

The court orders the honorable officer to prove his charges.

The honorable officer, plaintiff, against Jan Anderiessen, defendant.

The honorable officer complains that the defendant in violation of the ordinance published here has sold brandy to the savages and the plaintiff therefore requests that the defendant be fined fl.500 in accordance with the ordinance.

The defendant denies that he did so and demands proof.

[4] The court orders the honorable officer to prove his charges.

The honorable officer, plaintiff, against Pieter Jacobsen Bosboom, defendant.

The plaintiff complains that the defendant in violation of the ordinance published here has sold brandy to the savages. The honorable plaintiff therefore requests that the defendant be fined fl.500 in accordance with the ordinance and be banished.

The defendant denies that he did so and demands proof.

The court orders the honorable officer to produce his evidence on the next court day.

Extraordinary Session held in Fort Orange, January 12 Anno 1658

Present: Jacob Schermerhoorn
Philip Pietersz — Goossen Gerritsen
Jan Tomassen — Adriaen Gerritsen

The honorable officer, plaintiff, against Jan Teunissen, defendant and prisoner.

The honorable plaintiff says that the defendant (as he said before) sold brandy to the savages, which the plaintiff proves by three irreproachable witnesses, and as this is a matter of dangerous consequence which may cause the ruin of the country, he requests that the aforesaid delinquent, pursuant to the ordinance [5] published here on October 6 Anno 1656, by order of the director general and council of New Netherland, be condemned to pay a fine of fl.500 and be banished from this province for six years, as an example to others.

The defendant requests a copy of the plaintiff's complaint to answer the same according to legal procedure.

The court orders the plaintiff to furnish the defendant with a copy of his complaint to make answer thereto on the next court day.

Idem, plaintiff, against Jan Anderiessen, defendant.

The honorable plaintiff says that the defendant (as he said before) has sold brandy to the savages, which the plaintiff proves by three irreproachable witnesses, and whereas this is a matter of dangerous consequence, which may cause the ruin of the country, he requests that the said delinquent, pursuant to the ordinance published here on October [6] Anno 1656 by order of the honorable director general and council of New Netherland, be fined fl.500 and be banished from this province for six years, as an example to others.

The defendant requests a copy of the complaint, to make answer thereto according to legal procedure.

The court orders the plaintiff to furnish the defendant with a

copy of his complaint, to make answer thereto on the next court day.

[6] The honorable officer, plaintiff, against Pieter Jacobsen Bosboom, defendant and prisoner.

The plaintiff says that the defendant (as he has said before) has sold brandy to the savages, which he proves by three irreproachable witnesses. And whereas this is a matter of dangerous consequence which might cause the ruin of the country, he requests that the delinquent, pursuant to the ordinance published here on October 6, 1656, by order of the honorable director general and council of New Netherland, be fined fl.500 and be banished for six years, as an example to others.

The defendant requests a copy of the complaint to make answer thereto according to law.

The court orders the plaintiff to furnish the defendant with a copy of his complaint in order that he may make answer thereto on the next court day.

The honorable officer, plaintiff, against Gysbert van Loenen.

The plaintiff says that an Indian sachem has declared in the presence of three credible witnesses that on the first of January 1658 he bought brandy of the defendant for one beaver, which declaration, according to the ordinance, must be accepted as complete evidence. He therefore, as officer, demands that the defendant be condemned to pay a fine [7] of 500 guilders and be banished from the country, according to the ordinance.

The defendant denies that he did it and offers to prove it.

The court, having heard the parties, orders the defendant to purge himself of the charges under oath, but if the defendant refuses to take the oath, it is ordered that he shall be taken into custody until further proof.

Poulus Cornelissen, plaintiff, against Gysbert Martensen, defendant.

The plaintiff says that he sold a horse to the defendant and that in default of payment the defendant has reconveyed the horse to the plaintiff by bill of sale. And whereas the plaintiff

has heard that the defendant sold the horse to Dirck Bensick, the plaintiff has had the said horse attached and requests restitution of the same.

The defendant requests that the horse may remain attached until the next court day, subject to the payment of costs by the party who is in the wrong.

[8] Ordinary Session held in Fort Orange, January 15, 1658

Master van Hamel,[1] plaintiff, against Christoffel Davids, defendant.

The plaintiff complains that the defendant has affronted him, having three times struck him and called him a forger and challenged him to fight, as evidence of which he produces a knife which the defendant surrendered to the plaintiff.

The defendant denies that he did so, but admits that the knife which the plaintiff produces is his.

The court orders the plaintiff to prove his statements on the next court day.

Willem Fredricksz, plaintiff, against Marcelus Janssen, defendant.

The plaintiff complains that the defendant called him a thief in the presence of Philip Pietersen, Dirck Janssen Croon and Henderick Jochimsen.

The court orders the parties to prove their statements on the next court day.

Baefjen Pietersen, plaintiff, against Eldert Gerbertsen, defendant.

The defendant excuses himself because his witnesses are not at hand.

The court orders the defendant to appear with his witnesses on the next court day.

Pieter Winnen, plaintiff, against Pieter Loockermans, defendant.

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[1] Dirck van Hamel, secretary of the colony of Rensselaerswyck. See *Van Rensselaer Bowier Mss*, p. 846.

[9] The plaintiff demands payment of fl.62 for boards, which payment must include two beavers.

The defendant admits the debt and promises to pay the same in the space of six weeks.

The court orders the defendant to pay the aforesaid sum within the space of six weeks, on pain of execution.

Lowies Cobussen, plaintiff, against

2d Default. Dirck Bensick and Pieter Bronck, defendants.

Default. Jan de Wever, plaintiff, against

Default Willem Hoffmeyer, defendant.

Hans de Vosch, plaintiff, against

Default Jan de Wever, defendant.

Gysbert van Loenen, plaintiff, against Poulus Cornelissen, defendant.

The plaintiff says that Poulus Cornelissen, defendant, attached his horse, which was consented to by the court until this day. And whereas he has given the defendant a bill of exchange, he requests restitution of the horse or of the bill of exchange.

The defendant says that he received the plaintiff's bill of exchange and has long since intended to return it and now offers to do so, but he persists in maintaining the attachment.

The parties having been heard, the court orders that the horse shall be returned to the defendant, Poulus Cornelissen, provided that he shall receive nineteen beavers for his bill of exchange and that he shall pay the remaining six beavers to the plaintiff.

[10] Whereas Jan Teunissen, in violation of the ordinance issued by the honorable director general and council and published here, has on the 30th of December 1657 ventured to sell brandy to the savages or natives of this country, as appears by the testimony of three irreproachable and sworn witnesses and by his own voluntary confession, therefore, we, having seen the conclusion of the officer, requesting enforcement of the ordinance, and the answer of the party to the aforesaid conclusion, having duly considered the matter and called upon God, have by a

plurality of votes adjudged this to be a matter of dangerous consequence which can not be tolerated in a place where justice is maintained. Therefore, doing justice in the matter of the conclusion of the said officer, we condemn the aforesaid Jan Teunissen, as we condemn him hereby, according to the ordinance published on the 6th of October Anno 1656, to pay a fine a five hundred guilders and the costs of the trial and furthermore to be banished from this country for the period of three years. Thus done in the meeting held in Fort Orange on the 22d of January Anno 1658.

JACOB JANSEN SCHERMERHOOREN
ABRAM STAETS
ADRIAEN GERRETSEN

[Identical sentences for the same offense, passed on the same day, of Jan Anderissen and Pieter Jacobsen Bosboom, are recorded on pages 11 and 12].

[13] Ordinary Session held in Fort Orange, January 22, Anno 1658

Baefjen Pietersen, plaintiff, against Elbert Gerbertsen, defendant.

The parties having been heard, the court orders the parties respectively to have their affidavits confirmed by oath on the next court day.

Goossen Gerritsen, plaintiff, against Claes Teunissen, defendant.

The plaintiff demands payment of a bond of fl.848, on which fl.271:14 has been received. He requests payment of the balance.

The defendant says that the debt was contracted not in his time, but in the time of his wife's former husband, Jacob Luyersen, deceased, and maintains that the plaintiff must sue not him but the curators for payment.

The court orders that the plaintiff must sue the curators ap-

pointed to administer the estate of Jacob Luyersen, deceased, for payment.

Default

Lowies Cobussen, plaintiff, against Pieter Bronck and Dirck Bensick, defendants.

The plaintiff, demands payment of his salary for taking at the request of the defendants an inventory of the effects of Hans Vosch, in Katskill, for which he claims he earned fl.18:– in three days.

Pieter Bronck, defendant, appearing, admits that he, Dirck [14] Bensick and Philip Hendericksz employed the plaintiff, but claims that Hans Vosch must pay the expenses.

The court orders the defendant to pay the aforesaid sum of fl.18:– to the plaintiff, reserving his right to recover the amount from the person whom the court will designate to him.

Cornelis Teunissen, plaintiff, against Jacob Janssen Stolle, defendant.

The plaintiff maintains that as he has farmed the slaughter's excise, those of the Esopus and Katskill must also pay the aforesaid excise.

The defendant says that those of the Esopus are exempt from all excise for the space of four years more, according to the "Exemptions of New Netherland," and in case they are liable, the proceeds must redound to the benefit of their place, according to the ordinance drawn up by the director general and council of New Netherland.

January 29, 1658. The court refers the matter to the director general and council of New Netherland.[1]

Extraordinary Session held in Fort Orange, February 8 Anno 1658

Present:

Jan Tomassen Abraham Staets Adriaen Gerritsz

The honorable officer, plaintiff, against Jochim, the baker defendant.

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[1] Revised from *Doc. rel. to Col. Hist. N. Y.*, 13:76.

The plaintiff complains that the defendant beat a savage who went with the court messenger to secure evidence as to the savage's complaint that he had lost his notas with seawan at Jochim the baker's house and furthermore that the defendant threatened to beat the court messenger.

The defendant admits that he beat the savage.

The court condemns the defendant to pay a fine of two pounds Flemish for the poor and releases him from confinement and irons.

PHILIP PIETERSEN
ABRAM STAES
JAN TOMASZ
ADRIAEN GERRETSEN

[15] The officer protests on the ground of refusal to maintain justice, tending to the ruin of the country and hereby appeals to the director and council of New Netherland.

Done in Fort Orange, in the presence of the magistrates, the 8th of February Anno 1658.

La Montagne, officer in Fort Orange

Abraham Pietersen Vosburch, plaintiff, against

Default — Tjerck Claessen and Cobus Teunissen } defendants

The plaintiff complains that the defendant had a tree hauled out of the woods, which he cut down for lumber.

The defendant admits that he did so, saying that the log had lain in the woods for three years.

The court dismisses the plaintiff's complaint against the defendant, on the ground that the plaintiff did not have his log hauled out of the woods within the space of three years.

The 5th of February, Albert Gysbertsz confirmed by oath his affidavit against Baefien Pietersen which he handed in at the request of Elbert Gerbertsen.

Reyer Albertsen, plaintiff, against Gysbert van Loenen, defendant.

The plaintiff demands payment of four beavers and has caused the same in the hands of Dirrick Bensick to be attached.

The court declares the attachment valid and orders that the aforesaid four beavers be paid to him.

[16] The wife of Jan van Hoesen, plaintiff against Gysbert van Loenen.

The plaintiff demands payment of a certain sum of money and says that she has a note.

The court orders the plaintiff to produce her note on the next court day.

Pieter Bout's wife, plaintiff, against Pieter Jacobsen Bosboom, defendant.

The plaintiff demands payment of a certain sum of money.

The defendant produces a counter claim.

The court orders the parties to settle with each other and to appear before the court on the next court day about the difference between the two accounts.

Poulus Martensen, plaintiff, against Harmen Bastiaensen, defendant.

The plaintiff demands payment of two beavers for keeping a cart in repair for the space of one year.

The court orders the plaintiff to pay the defendant the aforesaid two beavers within the space of six weeks. At the same time the defendant is released from the care of the cart, as the plaintiff has sold the cart.[1]

The honorable officer, plaintiff, against Jan Martensz, *alias* the weaver, defendant.

The officer complains that the defendant sold brandy or beer to the savages, which is in violation of the ordinance.

The defendant denies that he did it, as he was not at home.

[17] The court sends the parties back for further evidence.

The plaintiff produces Jurriaen Teunissen and Barent Oesterman, who are examined on interrogatories as follows:

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[1] The words plaintiff and defendant should be reversed.

Interrogatory of Jurriaen Teunissen and Barent Oosterman

Whether he did not see that last Wednesday, in the house of Jan the weaver, by him, his wife, his maid, or some one else, beer was served in a pewter pint measure out of a large jug to two savages who were lodging there and sat by the fire?

Jurriaen Teunissen answers that he does not know and paid no attention.

Barent Oosterman declares that he saw that the savages drank small beer from the can.

2 Whether he did not see the savages drink from the pewter pint measure?

Jurriaen Teunissen answers: No.

Barent Oosterman answers: Yes.

Was signed: Jurriaen Teunissen
Barent Oosterman

[18] Ordinary Session held in Fort Orange, February 12, 1658

Present:

La Montagne Philip Pietersen Abraham Staets
Jan Toomassen Adriaen Gerritsen

Jan van Hoesem, plaintiff, against Gysbert van Loenen, defendant.

The plaintiff produces the note in his favor which the court ordered him to present on the next court day, amounting to the sum of fl.210:, for tavern expenses.

The defendant admits the debt.

The court orders the defendant to satisfy the plaintiff by [cash] payment, security, or draft payable in Holland, within the space of 14 days.

Baefjen Pietersen, plaintiff, against
Default Albert, wheelwright
Default Rebecca de Trucx
Default Geertruy Feckmans
Default The wife of Albert, the wheelwright
Default Grietjen Brughmans
} defendants

Henderick Harmensen, plaintiff, against Daniel Rinckhout, defendant.

The plaintiff says that he hired the defendant's house and contracted that if either one of the parties should cancel the lease, he would the next day have to give a tun of beer and three cans of brandy.

[19] The defendant acknowledges that he made the said contract and that the next afternoon or evening he canceled it.

The court orders the defendant to deliver the house, or in default thereof to give a tun of beer and three cans of brandy according to their contract.

The officer, plaintiff, against Jochim the baker's maid, named Anneken.

Being asked whether she did not see that a savage left his notas on the counter or in the house when he bought cake of her, she answers: No.

Hans Vosch, under-schout, plaintiff, against Jan, the weaver, defendant.

The plaintiff, as under-schout, complains that several times he has found people in the defendant's house, drinking, both after the ringing of the bell and during divine service, and requests that the defendant be fined according to the ordinance.

The court condemns the defendant to pay the plaintiff for each person found present and to recover the amount where he can.

[20] Ordinary Session held in Fort Orange, February 19, 1658

Present:

La Montagne Jacob Schermerhoorn Philip Pietersen
Abraham Staets Jan Tomassen Goossen Gerritsen and
Adriaen Gerritsen

Philip Pietersen, attorney for Carsten, the Noorman, plaintiff, against Hans Vosch, defendant.

The plaintiff demands fulfilment of a contract made between both parties about the purchase of the plaintiff's land, situated behind Marten Hendericksen's, for the sum of fl.150: and produces the aforesaid contract.

The defendant says that the purchase was canceled and produces Philip Hendericksen as a witness.

The parties having been heard, the court orders the defendant to appear personally on the next court day to defend himself.

Pieter Loockermans, plaintiff, against
Default Meeuwes Hoogenboom, defendant.

Jacob Janssen Flodder, plaintiff, against Hans de Vosch, defendant.

The plaintiff demands the return of an account of fl.54:--

The defendant produces a counter claim and says that he settled with the plaintiff at Jan, the weaver's, for a can of brandy.

The court orders the defendant to prove that he settled with the plaintiff for a can of brandy.

[21] Baefien Pietersen, plaintiff, against

Default { Rabecca de Trucx
Geertruy Fexmans
Grietjen Brugmans
the wife of Albert, the wheelwright } defendants

Harmen Jacobsen, plaintiff, against Albert Gysbertsen, defendant.

The plaintiff demands payment of the balance of the purchase price of a house and lot which he sold to the defendant.

The defendant says that the plaintiff did not deliver the whole of the lot.

The court orders that the lot shall be viewed by their honors.

Harmen Jacobsen, plaintiff, against the honorable officer Lamontagne, defendant.

The plaintiff demands restitution of an anker of brandy which the defendant, as officer, confiscated in the yacht the "Eendracht."[1]

The defendant admits that he did so, because the plaintiff had shipped eight ankers of brandy in the said yacht, without permit or the knowledge of the officer, in violation of the ordinance, and he demands that the plaintiff[2] [22] be condemned to pay a fine of 500 guilders according to the ordinance.

The honorable officer, plaintiff, against Jacobus Teunissen and Jan Roelofsen, defendants.

The plaintiff complains that the defendants have drawn knives upon each other.

The [first named] defendant denies it, but says that Henderick, *alias* the cowherd, drew his knife on Jan Roeloffsen and made a stab at his side, which glanced off.

Hans Vosch, under-schout, plaintiff, against Pieter Janssen, *lamaecker* (gunstock maker).

The plaintiff says that the defendant complained to him because [his wages] were reduced.

The defendant denies that he complained.

The court orders the plaintiff to prove on the next court day that the defendant complained that [his wages] had been reduced.

[23] Whereas Jan Anderiessen de Graeff and Pieter Jacobsen Bosboom, on the first of January 1658, when a certain Maqua Indian came to the house to return a keg containing about 1½ cans of brandy which he said he had bought there of them for two beavers and which was not enough, ventured, on his coming into the house, to take the keg with brandy away from him by force and to hide the same without returning his beavers,

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[1] This yacht came from Claverack on Dec. 9, 1657; *Early Records of Albany*, 1:247.

[2] The original text has: *gede*, meaning defendant.

for which the honorable court, in order to prevent certain consequences and further mischief, satisfied the Indian. Therefore, said wanton violence and hostility shown to the Indian being no small matter, but a matter of serious consequence, the honorable court, having duly considered the matter according to the testimony and evidence, have sentenced, as they do sentence hereby, the delinquents, each of them, to pay a fine of one hundred and twenty-five guilders and in addition the two beavers which their honors paid to the Indian, and furthermore all costs of the trial, etc. Thus done in the court of Fort Orange, the 11th of March Anno 1658.

Abram Staas
Jan Thomasz
Adriaen Gerretsen

[24] Ordinary Session held in Fort Orange, March 11, 1658

Present:

J: Lamontagne Jacob Schermerhoorn Phillip Pietersen
Abraham Staets Jan Tomassen Goossen Gerritsen
Adriaen Gerritsen

Dirrick Janssen Croon, plaintiff, against Daniel Rinckhout, defendant.

The plaintiff complains about the payment for some brandy which the plaintiff sold to the defendant and for which the defendant paid 50 beavers on account. Among these 50 beavers are 30 three-quarter skins, so that the plaintiff demands other beavers.

The defendant admits that he bought the brandy.

The court orders the defendant to replace the aforesaid three-quarter skins by good, whole beavers or pay for them within the space of six weeks.

Jacob Janssen Flodder, plaintiff, against Hans Vosch, defendant.

The parties appearing for the second time before the court about the difference between their accounts against each other, the plaintiff denies that he bought 200 cabages of the defendant. The plaintiff refusing to swear to his statement and the defendant having taken the oath, the court, upon liquidation of the accounts, adjudges that the defendant must pay the plaintiff fl.11.

Marcelis Janssen, plaintiff, against Meyndert Fredricksz, defendant.

The plaintiff, as farmer of the burghers' excise, complains that the defendant has had a half barrel of good beer brought into his house without permit.

[25] The defendant says that he earned it with his fellow workers and that it was brought into his house.

The court orders the plaintiff to recover payment from Albert, the Noorman, who had it brought into the defendant's house.

J. Provoost, plaintiff, against

Default Harmen Jacobsen, defendant.

M^r^ Corler, plaintiff, against

Default Harmen Jacobsen, defendant, whose property is attached.

Jan Tomassen, plaintiff, against Evert Hedemans, defendant.

The plaintiff demands restitution of an empty half cask, which he sawed in two.

The defendant admits it, but says that he found the cask in the river.

The court orders the defendant to pay for the half cask and forbids him to do so again.

Anderies Herbertsen, plaintiff, against Hans Vosch, defendant.

The plaintiff demands payment of 48 schepels of maize for which the plaintiff gave the defendant goods to be bartered. The defendant remaining in default, the plaintiff demands restitution of the goods or the maize.

The defendant admits the debt.

The court orders the defendant to pay the plaintiff one crown for each schepel of maize.

The nomination of magistrates

Pieter Hartgers	7 votes
Françoys Boon	7 "
Sander Leendersen	7 "
Willem Teller	5 "
Jan Verbeeck	6 "
Dirck Janssen Croon	4 "

[26] Ordinary Session held in Fort Orange, March 26 Anno 1658

Present:

Lamontagne Jacob Schermerhoorn Philip Pietersen
Goossen Gerritsen Abraham Staets Jan Toomassen
Adriaen Gerritsen

Barent Albertsen, plaintiff, against Teuwes Abrahamsen and Pieter Loockermans, defendants.

The plaintiff says that he engaged the defendants to build his house more than two years ago and that they make no progress with the house.

The defendants say that it is due to lack of materials.

The court orders the defendants to go to work within the space of 14 days and not to quit until the house is finished.

Cornelis Cornelissen, plaintiff, against Michiel Poulussen, defendant.

The plaintiff demands payment of the sum of fl.162:, being the remainder of fl.330:–

The defendant admits the debt, but claims his entire freight charges of last fall, according to the agreement with the plaintiff, which amount to 90 guilders.

The plaintiff replies that it is not his fault that the defendant did not get his complete cargo, as he had a raft of boards made, but the defendant departed during the night leaving the raft behind.

The defendant says that as the plaintiff had not delivered his

boards to him near the work and he was able to get a cargo here, he left during the night for fear of the ice, and claims the freight.

[27] The court orders the defendant to give security for the payment of the sum of fl.162 cash, or to remain under arrest here in Fort Orange, reserving [decision as to the plaintiff's] right to recover the freight charges claimed by him until further proof.

Extraordinary Session held in Fort Orange, March 29 Anno 1658

Present:

La Montagne	Jan Tomassen
Goossen Gerritsen	Adriaen Gerritsen

Jan Harmensen, plaintiff, against Dirck Bensick, defendant.

The plaintiff complains that the defendant beat him in his own house with a naked sword and shows the marks and streaks to the court.

The defendant denies that he did so.

The plaintiff produces as witnesses Cornelis Teunissen and Jacob Tyssen, who declare that they saw Dirck Bensick several times beat the plaintiff, to wit, Jan Harmsen, with his naked sword, but do not know the reason why.

The court, having heard the parties and considered the matter, condemn the defendant to pay a fine of one hundred and fifty guilders and the costs of the trial.

[28] Extraordinary Session held in Fort Orange, on Wednesday, the first of May Anno 1658

In the place of the retiring ordinary magistrates, Jacob Schermerhoorn and Philip Pietersen, and Goossen Gerritsen, extraordinary magistrate, according to the extract from the resolutions of the honorable director general and council of New Nether-

land, Pieter Hartgers and Françoys Boon, as ordinary magistrates, and Dirck Janssen Croon, as extraordinary magistrate, have been chosen and confirmed from the double number nominated, who, having been summoned by the court, have taken the following oath of fidelity before the commissary:

We, the undersigned, as chosen magistrates of the bench of justice of Fort Orange and the village of Beverwyck, promise and swear in the presence of God Almighty and our fellow members, that we shall help to administer law and do true justice between man and man and furthermore according to the best of our knowledge and ability carry out and help promote all that concerns justice and administration, as also in all respects to be true and faithful toward the Lords States General of the United Netherlands, the honorable directors of the chartered West India Company and the director general and council of New Netherland, with the further promise to help maintain here the Reformed religion according to the word of God and the regulations of the synod of Dordrecht and not to tolerate publicly any sects. So help us God Almighty.

[29] After having been congratulated, the aforesaid Pieter Hartgers, Françoys Boon and Dirck Janssen Croon this day took their seats.

The retiring magistrates are discharged from their oath and thanked for their good services and the performance of their duty, with promise that with regard to their honorarium of fl.150 a year they will at the opportune time and when the treasury is well supplied receive consideration and be paid the same as the present and future magistrates.

Upon deliberation it is agreed and decided that the annually retiring magistrates shall for the space of one year be exempt from mounting the ordinary burgher guard, but nevertheless, in case of need and when commanded, be obliged to do all extraordinary guard duty the same as other burghers, according to the resolution passed on the first of May Anno 1658, confirmed by the honorable director general of New Netherland.

[30] Ordinary Session held in Fort Orange, May 1 Anno 1658

Present:

La Montagne	Abraham Staets
Jan Tomassen	Adriaen Gerritsen

Jacob Janssen Flodder, plaintiff, against Jan Roodthaer,[1] defendant.

Carsten Fredricksz, plaintiff, against Jan Harmsen, defendant.

The plaintiff demands payment of fl.1150.

The defendant admits the debt and requests two months' time.

The court condemns the defendant to pay the plaintiff the sum of fl.1150 demanded within the space of six weeks, on pain of execution.

Henderick Jochimsen, plaintiff, against Hans Vosch, defendant.

The plaintiff demands payment of a certain sum of money for food and drink supplied at his house to Dirck Bensick and Pieter Bronck by order of Hans Vosch.

The defendant denies the debt and says that he knows nothing about it.

The court orders the plaintiff to recover the amount as best he may from Dirck Bensick or Pieter Bronck, who spent it at his house.

Mr. Arent van Curler, plaintiff, against

Default Jan Gauw, defendant.

The plaintiff demands payment of fl.850:9:–.

The defendant admits the debt and requests time.

The parties having been heard, the court condemns the defendant to pay the sum of fl.850:9:– demanded within the space of six weeks, on pain of execution.

Hans Vosch, plaintiff, against

Default Foppe Barentsen, defendant.

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[1] Literally: "Red Hair."

[31] Extraordinary Session held at Fort Orange, May 1, 1658

Present:

La Montagne	Jan Tomassen	Pieter Hartgers
Françoys Boon	Adriaen Gerritsen	Dirck Janssen Croon

Leendert Philipsen, plaintiff, against Henderick, the baker, defendant.

The plaintiff says that the defendant hired his house of Tjerck Claessen, also lessee (to wit, the first lessee), and demands payment therefor.

The defendant says that he does not know the plaintiff, as he leased the house of Tjerck Claessen and that he regards the said Tjerck as the lessor.

The court orders the plaintiff to recover the amount from Tjerck Claessen and dismisses his complaint.

Johannes Provoost, plaintiff, against Henderick Bierman, defendant.

The plaintiff, as attorney for Fredrick Philipsen, demands of the defendant payment of 88 beavers, due to the said Fredrick by the defendant and Harmen Jacobsen, partners, according to the bond, which he produces.

The defendant denies the debt and the bond.

The court, having heard the parties and examined the bond which was produced, seeing that the bond is executed and signed only by Harmen Jacobsen, dismiss the plaintiff's complaint until he produces further proof, or orders him to recover the amount from Harmen Jacobsen.

Teunis Spitsbergen and his partner have received of Wynant Gerritsen 11 beavers of a total of 18, so that there are still 7 beavers due to the said Spitsbergen.

[32] Ordinary Session held in Fort Orange, May 7, Anno 1658

Present:

Françoys Boon	Jan Tomassen	Pieter Hartgers
Lamontagne	Adriaen Gerritsen	Dirck Janssen Croon

Pieter Adriaensen, plaintiff, against

Default { Teuwes Abrahamsen, Pieter Loockermans } defendants

Mr. van Corler, plaintiff, against Jan Gauw, defendant.

The plaintiff demands restitution of a canoe, which the defendant without knowledge of the plaintiff has taken from the shore.

The defendant [says] that without knowing it he has taken the plaintiff's canoe, because there were two canoes and he took the wrong one. He offers another canoe [instead].

The court, having heard the parties, condemns the defendant to restore the plaintiff's canoe, or another as good as his, within the space of 24 hours, and to pay the costs of the suit.

The former magistrates, plaintiffs, against Teunis Teunissen, mason, defendant.

The plaintiffs demand payment of the fine imposed on his wife a year and a half ago.

The defendant admits the debt and humbly requests delay in payment and grace.

The court condemns the defendant to pay fl.100 in a month and the balance a year later.

Albert Gerritsen, plaintiff, against

Default { Willem, the baker, Pieter Loockermans, Foppe Barensen } defendants

[33] Ordinary Session held in Fort Orange, May 14 Anno 1658

Present:

Lamontagne	Jan Tomassen	Pieter Hartgers
Françoys Boon	Adriaen Gerritsen	Dirck Janssen Croon

Barent Slecht, plaintiff, against Pieter Bronck and Jacob Adriaensen, defendants.

The plaintiff demands payment of fl.64: for which Pieter Bronck in Katskil became surety for Jantjen, the Irishman.

The defendant says that he gave the plaintiff an order on Jacob Adriaensen, to wit, orally.

The plaintiff replies that if Jacob Adriaensen will pay in three days, he will be satisfied. If not, he will maintain his claim against Pieter Bronck.

The court condemns the defendant, Pieter Bronck, to pay the sum of fl.64 demanded to the plaintiff within the space of eight days, or to furnish surety to pay within six weeks, the defendant to recover the amount if he can from Jacob Adriaensen.

Cornelis Wyncoop, plaintiff, against
Default Tjerck Claessen and his servant, defendants.

Cornelis Wyncoop, plaintiff, against Cornelis Teunissen, defendant.

[34] The plaintiff claims compensation for winter fodder of a bull owned in common and demands two beavers for it.

The defendant denies the debt and maintains that the plaintiff is also liable, as the bull is owned in common.

The court orders the defendant to pay the plaintiff 10 guilders in seawan for fodder within the space of three days and to recover the amount as best he may.

Jan Roeloffsen, plaintiff, against
Default Willem Hoffmeyer, defendant.

Jan van Hoesem, plaintiff, against Albert, the wheelwright, defendant.

The plaintiff demands payment of the balance of 113 shepels of wheat, according to a contract which they had with each other at the rate of 3 schepels of wheat for one beaver, of which 75 schepels have been paid for, so that there is still due the plaintiff 38 schepels of wheat.

The defendant not being able to deny his signature, he, the defendant, is ordered by the court to pay the plaintiff the remaining 38 schepels of wheat within the space of six weeks.

Jacob Teunissen, plaintiff, against
Default Tryn Claes, defendant.

Marcelus Janssen, plaintiff, against
Default Meeuwes Pietersen, defendant.

Reynier Wisselpenningh, plaintiff, and Tomas Lodowycksen, co-plaintiff, against
Willem Teljer
Evert Wendels
Jan Verbeeck
Pieter Hartgers
} defendants

[35] The plaintiff, for making the small baptistry of the church, claims two third parts [of the payment] in beavers and the other third part in seawan, the total amounting to the sum of 270 guilders.

The defendants say that as the deaconry was not well supplied with beavers, it was agreed that they should pay one third part in beavers and two third parts in seawan.

The plaintiff having confirmed his statement by oath, the court orders the defendants to pay the plaintiff two third parts in beavers and one third part in seawan.

The honorable officer, plaintiff, against Luycas Pietersen, defendant.

The honorable plaintiff complains that the defendant in the evening after Easter day acted very insolently toward the under-schout. Meeting the said under-schout with a firebrand, he called out: Werda?, struck the said under-schout on the breast and committed great violence.

The defendant denies it and refuses to take his oath.

The court orders the defendant to be taken into custody, unless he give sufficient bail for his appearance on the next court day.

[36] Ordinary Session held in Fort Orange, May 21 Anno 1658

Present:

Lamontagne Abraham Staets Jan Tomassen
Pieter Hartgers Françoys Boon Adriaen Gerritsen
Dirck Janssen Croon

Henderick Janssen Reur, plaintiff, against
Default Teunis Cornelissen, *alias* young Poentie, defendant.
Jan Roeloffsen, plaintiff, against
Default Willem Hoffmeyer, defendant.
Isaack de Foreest, plaintiff, against
Jacob Teunissen, defendant.

The plaintiff, attorney for the honorable Johannes Nevius, demands payment of one half of his wife's passage money from Holland to New Netherland, amounting to the sum of fl.60:–

The defendant's wife not being able to deny the bond or her signature to it, the defendant is ordered by the court to pay the plaintiff the sum of sixty guilders demanded within the space of six weeks.

Barent Pietersen, plaintiff, against Harmen Bastiaensen, defendant.

The plaintiff demands fulfilment of a contract made between the plaintiff and the defendant.

[37] The court, having heard the parties, orders the defendant to fulfil the aforesaid contract; if not, the plaintiff may sue, the costs to be paid by the party who is in the wrong.

Hans Vosch, under-schout, plaintiff, against Marcelus Janssen, defendant.

The plaintiff says that the defendant fought with Barent, the brewer, for which by way of fine he retained a pound Flemish which he owed the defendant, whereupon the defendant called the plaintiff a rascal. He demands reparation of honor.

The defendant denies that he fought with Barent, the brewer, but acknowledges that he said that the plaintiff was a rascal, because the plaintiff unjustly kept a pound Flemish out of what he owed him.

The court having heard the parties, the defendant is fined two pounds Flemish, because he called the plaintiff in his official capacity, on account of a small matter, a rascal.

The honorable officer, plaintiff, against Luycas Pietersen, defendant.

The plaintiff complains, as may be seen in the minutes of the preceding court day, about the very insolent and violent conduct toward Hans Vosch, the under-schout, in his official capacity, of which the defendant has not been able to purge himself, as he has several times refused to take the oath. The aforesaid under-schout having taken the oath, the plaintiff requests judgment.

[38] The court having considered the matter, the defendant refusing to take the oath and the under-schout having taken his, the defendant is condemned by the court to pay a fine of sixty guilders and the costs of the trial and to remain under arrest here in the fort until he shall have furnished sufficient security.

Ordinary Session held in Fort Orange, June 4 Anno 1658
Present:

Jan de Lamontagne Jan Tomassen Pieter Hartgers
Adriaen Gerritsen and Françoys Boon

Pieter Roode, plaintiff, against Toomas Janssen, defendant.

The plaintiff says that the defendant, by whom he was hired as assistant waiter, holds back his tips while employing him to draw grain, which he claims he is not bound to do. He demands that his tips be turned over to him and that he be employed in the brewery, or that he be discharged from his service.

The defendant consents to the plaintiff's release from his service, provided that he satisfy the defendant for the money received over and above his wages either by making payment or giving security, or else that he shall fulfil the term of his service.

Fiat the defendant's offer.

Hans de Vos, plaintiff, against Jan van Breemen, defendant.

The parties having been heard, the matter is referred to referees, chosen by the parties in the presence of the court, to wit, Henderick Jochemsen for the plaintiff and Pieter Bronck for the defendant.

[39] Jacob Adriaensen, plaintiff, against Cristoffel Davits, defendant.

The parties having been heard, it is ordered that the defendant shall submit his answer in writing on the next court day.

Hend^r. Reur, plaintiff, against Teunes Cornelis, defendant. Defendant in default.

Ordinary Session held in Fort Orange, June 8 Anno 1658

Present:

J: de Lamontagne Jan Toomassen Pieter Hartgers
Françoys Boon Adriaen Gerritsen

Wynant Gerritsen, plaintiff, against Abraham Vosburch, defendant.

The plaintiff requests that the agreement made on the 28th of May 1658 between him and the defendant through the intermediary of Jan Verbeeck and Ariaen Appel in the presence of D. van Hamel, secretary of Rensselaerswyck, may be approved by the court.

The defendant acknowledges that he made such an agreement, but declares that there are some obscure points in it which he should be glad to have explained.

The court, having heard the parties, and examined the agreement between them, refer the parties to the aforesaid arbitrators and for the explanation of the same to the gentlemen of the court of Rensselaerswyck.

[40] Hester Fonda, plaintiff, against Hans Vos, defendant.

The plaintiff demands payment of three beavers for a gun sold to the defendant.

The defendant admits that he bought the gun for fl.23 in seawan, of which he paid fl.16 on account.

The court, having heard the parties, order the defendant to pay the plaintiff the sum of fl.14.

Flip, the brewer, plaintiff, against Albert Gerrits and Jan van Eckel, defendant.

The plaintiff requests a writ of execution of a judgment in his favor rendered by the court of Rensselaerswyck against the defendant.

The defendant acknowledges that such a judgment was given.

The court orders that the said judgment shall be executed according to law.

Jan Harmsen, plaintiff, against Albert Gerritsen, defendant.

The plaintiff demands payment of the sum of 373 guilders.

The defendant admits the debt.

The court condemns the defendant to pay within the space of six weeks, on pain of execution.

Hendrick Reur, plaintiff, against Hendrick Gerrits, defendant.

The plaintiff demands payment of the sum of 22 guilders, 4 stivers.

The defendant admits the debt.

Fiat condemnation, to pay within ten days, on pain of execution.

[41] Arent van den Berch, plaintiff, against Teunis Jacobsen, defendant.

The plaintiff demands payment of 12 guilders for a hog which he [the defendant] is alleged to have run over.

The defendant denies that he did so.

The parties having been heard, it is ordered that the plaintiff shall prove his charges on the next court day.

Extraordinary Session held in Fort Orange, June 19 Anno 1658

Present:

Jan Tomassen P. Hartgers Françoys Boon
Adriaen Gerritsen

The honorable officer, plaintiff, against Jurriaen Teunesen, glazier, defendant.

The plaintiff says that the defendant laid in his cellar two half barrels of good beer without certificate from the farmer of the excise, which is contrary to the ordinance of their High Mightinesses, the States General. The plaintiff, therefore, in his official capacity demands that the defendant be fined fl.200 and be suspended from tapping for the period of two years.

The defendant admits that he put the two half barrels of beer in his cellar and that they were found by the farmer of the excise accompanied by the court messenger, for which, as he [42] afterwards heard, no excise certificate had been obtained. But he claims that it was not his fault, but Teunis Jacobsz', the beer carrier, whom he ordered to do so and that the failure was due to Huybert Jansen, whom the beer carrier put in his place.

Teunis Jacobsen, beer carrier, being examined about the matter before the court, acknowledges that he put Huybert Jansen in his place in the tavern to carry beer, but denies that he had orders from the defendant to fetch a certificate.

The parties having been heard, the court orders the defendant to satisfy the plaintiff or to compound with him.

Ditto, the officer, plaintiff, against Flip, the brewer, defendant.

The plaintiff says that the defendant has had his servant, without the help of the beer carrier, take beer out of his brewhouse into the cellar of Juriaen Teunesen, the glazier, tapster here, which is a violation of their High Mightinesses' ordinance and regulations. He, the officer, *ex officio*, demands that the defendant be fined fl.200 and in addition be suspended for the period of two years, according to the aforesaid regulations.

[43] The defendant says that it happened during his absence through the ignorance of his servant, who does not know of such regulations. He therefore requests to be excused from paying such fine, promising to see to it that it shall never occur again in his brewhouse.

The parties having been heard, the court orders the defendant to satisfy the plaintiff or to compound with him.

Ordinary Session held in Fort Orange, June 25 Anno 1658

Present:

J. de la Montagne	Abraham Staets	Jan Tomas
P. Hartgers	François Boon	Adriaen Gerritsen
Dirck Jansen Croon		

Govert Loockermans, plaintiff, against Abraham Vosburch, defendant.

The plaintiff, as attorney for the curators of the estate of Hardenberch, demands payment of 7 beavers, with the interest thereof and costs.

The defendant admits the debt.

The court, having heard the parties, orders the defendant to pay the sum demanded, with the interest thereon from the expiration of the term and reasonable expenses incurred in promoting the payment, within the space of ten days, on pain of execution.

[44] Govert Loockermans, attorney as above, plaintiff, against Jackes Tysen, defendant.

The plaintiff demands payment of fl.100 in beavers and fl.150 in seawan.

The defendant admits the debt and declares that at present he has no means of paying on account of his serious accident and prolonged illness. He offers a mortgage on his house here as security for the debt.

The plaintiff accepts the offer. *Fiat.*

Jacobus Jansen, plaintiff, against Jan Tomassen, defendant.

The plaintiff demands payment of fl.28, which Lubbert, the defendant's servant, owes him and which the defendant has agreed to pay, having accepted the account.

The defendant denies that he agreed to pay the debt or accepted the account.

The court orders the plaintiff to prove his statement on the next court day.

Rut Jacobsen, plaintiff, against Harmen Yden, defendant.

The plaintiff demands payment of fl. 34:4–.

The defendant admits the debt.

The court orders the defendant to pay within the space of fourteen days.

Anderies de Vos, plaintiff, levying an attachment, against Jan Verbeeck, defendant.

The plaintiff says that about four years ago he furnished through Adam Roelants to P. Leendersen vande Grist at the Manathans eighty pine boards, at 25 stivers apiece, as appears [45] from the bond written and signed by the said Poulus Leendersen vande Grist, for which sum the plaintiff caused the said P. Leendersen vande Grist, being here, to be cited, who, appearing before this court, acknowledged that he had received the said boards and written and signed the bond therefor, but objected that the said boards were used, not for himself, but for the fort in the city of Amsterdam in New Netherland, maintaining that he was not amenable to this court and not liable to attachment according to the privileges of the great burgher right granted to the city of Amsterdam in New Netherland. Judgment in this matter was given by the commissary and magistrates of this court, whereby the said Poulus L. v. Grist under date of June 11, 1657, was condemned to pay the sum of fl.118:15 within the space of six weeks and ordered to give sufficient security before his departure, the court granting him the privilege to recover the amount from whomsoever the court would designate. The said Poulus Leendersen having appealed from this judgment on the 14th of the said month to the director general and council of New Netherland, [46] and not prosecuted said appeal within the space of one year, the plaintiff claims that the appeal must be dismissed and requests that the money attached, for so far as he is concerned, with the interest thereof, be paid to him by Jan Verbeeck, under guaranty of restitution in case of need.

The court orders Jan Verbeeck, the defendant, to pay the plaintiff out of the money attached as much as the sum of fl.118:15, with the interest thereof since the 11th of June 1657, provided that the plaintiff give security for the restitution in case

of need and that he have notice hereof served on P. L. vande Grist, in order that he do not plead ignorance.

Anderies de Vos, appearing before the court, requests that Claes Gerrits, whom he had summoned, shall confirm by oath a certain affidavit which he, Marten Herpertsen and Harmen Wollemans, on the 3d of February 1656, made out before Dr. van Hamel, secretary of Renselaerswyck, and at the same shall produce the said affidavit in court.

[47] Having appeared before the court, Claes Gerrits has, after the reading of the said affidavit, in the presence of the court declared under solemn oath that the same was true and correct.

Jan van Hoesem, plaintiff, against Gysbert van Loenen, defendant.

The plaintiff demands payment of fl.210:–.

The defendant acknowledges the debt and promises to pay each month fl.12.

The plaintiff accepts. *Fiat.*

Pieter Bronck, plaintiff, against Jan Teunissen, defendant.

The plaintiff demands payment of fl.153: in beavers.

The defendant acknowledges the debt, but objects that the defendant has not fulfilled the contract between the parties.

The parties having been heard, the court orders the plaintiff to produce the contract on the next court day.

Willem Fredricksen, farmer of the excise, plaintiff, against Henderick Claessen, defendant.

The plaintiff demands payment of the excise, amounting to fl.100.

The defendant acknowledges the debt.

The court condemns the defendant, etc.

[48] Albert Gerritsen, plaintiff, against Huybert Janssen, defendant.

The plaintiff demands payment of fl.18.

The defendant admits the debt, but says that he worked four days for the plaintiff at fl.2:10 per day.

The court orders the defendant to pay the remaining fl.8 within the space of 14 days.

Rutger Jacobsen, plaintiff, against
Default Adriaen Appel, defendant.

Albert Gerritsen, plaintiff, against
Default Barent Albertsen, defendant.

Idem, against
Default Matteus Abrahamsen, defendant.

Albert Gerritsen, plaintiff, against
Default Pieter *Lamaecker*,[1] defendant.

Pieter Loockermans, plaintiff, against
Default Pieter, the brewer, defendant.

Teunis Slingerlant, plaintiff, against
Default Femmetien, the bakeress, defendant.

Jan, the weaver,[2] plaintiff, against Jan Eeraerts, defendant.

The plaintiff demands payment of fl.25:–.

The defendant admits the debt.

Fiat. Paid.

[49] Ordinary Session held in Fort Orange, July 2 Anno 1658

Present:

La Montagne	Jan Thomassen	Abraham Staets
Pieter Hartgers	François Boon	Adriaen Gerritsen
Dirck Janssen Croon		

Govert Loockermans, plaintiff, against Femmetien, the bakeress, defendant.

The plaintiff demands payment of fl.166, with the interest thereon, as appears from the bond which he produces, executed in the year 1655.

The defendant admits the debt and requests one year's time.

The plaintiff consents thereto, provided that he have a mortgage on the defendant's house.

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[1] Pieter Jansen, gunstock maker. *Early Records of Albany*, 1:247.

[2] Jan Martensen van Alstyne.

Fiat.

Idem, plaintiff, against Teunis Cornelissen, defendant.

The plaintiff demands payment of fl.176 in beavers, being the balance of a larger sum, with the interest thereof for one year's time, as appears from the bond which he produces.

The defendant, appearing by his wife, admits the debt and offers to pay in good, merchantable seawan at fl.10 for one beaver.

The court, having heard the parties, condemns the defendant to pay the aforesaid sum at fl.10:10 per beaver within the space of 14 days.

Idem, plaintiff, against

Default Lambert van Valckenborch, defendant.

Idem, plaintiff, against Reynier Wisselpenningh, defendant.

The plaintiff says that he has attached the sum of fl.200 in the hands of the defendant, of which sum the defendant has paid fl.143:15, so that there is still due the sum of fl.65:5; which attachment is provisionally declared valid.

[50] Teunis Slingerland, plaintiff, against Femmetien Alberts, defendant.

The plaintiff demands payment of fl.445, as appears from the bond which he produces.

The defendant admits the debt and offers to pay in the space of a year.

The plaintiff accepts the offer on condition that he be given a mortgage on the defendant's house. *Fiat.*

Volckertien van Hoesem, plaintiff, against Femmetjen, the bakeress.

The plaintiff demands payment of seven beavers, being the balance of 13, according to a bond which she produces.

The defendant admits the debt.

The parties having been heard, the court orders the defendant to pay the aforesaid seven beavers in six weeks.

Pieter Bronck, plaintiff, against Jan Teunissen, defendant.

The plaintiff demands payment of 15 guilders in beavers for rent of his house.

The defendant denies the debt because the plaintiff has not fulfilled his contract.

The court, having heard the parties, orders the parties to appear before the court on the next court day to prove the indebtedness or non-indebtedness by means of the contract or otherwise.

Idem, plaintiff, against Jacob Teunissen, defendant.

The plaintiff demands payment of 23½ beavers for house rent.

The defendant denies that he owes 23½ beavers, because the plaintiff has failed to fulfill his contract.

The court sends the parties back until the next court day for further proof and orders them to produce at the same time their contract.

[51] Jan Gauw, plaintiff, against Tjerck Claessen, defendant.

The plaintiff demands 5 or 6 beavers.

The defendant admits the debt, but claims a discount, as he has had no accommodation, the plaintiff being obliged to do some masonwork for him.

The parties having been heard, the court orders the plaintiff to carry out his agreement and condemns the defendant to pay the sum demanded after the work is done.

[54] [1] Ordinary Session held in Fort Orange, July 9 Anno 1658

Present:

La Montagne	Abraham Staets	Jan Tomassen
Pieter Hartgers	Françoys Boon	Adriaen Gerritsen
Dirrick Janssen Croon		

Jan van Hoesem, plaintiff, against Tjerck Claessen, defendant.

The plaintiff demands payment of fl.100 in beavers and fl.28 in seawan, as appears by the bond, which he produces.

The defendant admits the debt.

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[1] Pages 52 and 53 blank.

The parties having been heard, the defendant is ordered by the court to pay the plaintiff the fl.100 in beavers and fl.28 in seawan in the space of three weeks.

Rutger Jacobsen, plaintiff, against Cornelis Vosch, defendant.

The plaintiff demands payment of fl.430 in seawan.

The defendant admits the debt.

The court orders that the second payment on the [defendant's] house shall be security for the debt and that [the plaintiff] shall receive his share pro rato with others.

Idem, plaintiff, against Jan van Breemen, defendant.

The plaintiff demands payment of a balance of account, amounting to fl.160.

The defendant admits the debt.

The court orders that the plaintiff shall receive consideration together with other creditors and condemns the defendant to pay the sum demanded.

[55] Rutger Jacobsen, plaintiff, against Femmetjen, the bakeress, defendant.

The plaintiff demands payment of fl.230:8:–.

The defendant admits the debt.

The court orders the defendant to pay the sum of fl.230:8 demanded in the space of one year. Meanwhile, the large house of the defendant remains mortgaged for the payment of the aforesaid sum.

Foppe Barentsen, plaintiff, against the wife of Claes van Rotterdam.

The plaintiff complains that the defendant called him an informer and a rascal.

The defendant denies that she did so.

The court orders the plaintiff to prove on the next court day that the defendant called him so.

Foppe Barentsen, plaintiff, against Cornelis Vosch, defendant.

The plaintiff demands payment of fl.60.

The defendant admits the debt.

The court orders the defendant to pay the plaintiff the fl.60 in the space of six weeks.

Madam de Hulter, plaintiff, against Jacob Tyssen, defendant.

The plaintiff demands payment for 5500 brick.

The defendant admits the debt, but says that the plaintiff promised the defendant to deduct the amount from the account of her servants.

The court orders the defendant to prove his statement on the next court day.

[56] Madam de Hulter, plaintiff, against Cornelis Vosch, defendant.

The plaintiff demands payment for 12.000 brick and 1600 tiles, as appears by the account which she produces, for which sum she attached the first payment for his newly sold house.

The defendant admits the debt and requests that the payment for the said materials be deferred until the second payment for his newly sold house.

The plaintiff accepts.

The court orders the defendant to pay the plaintiff for the aforesaid tiles and brick out of the second payment for his newly sold house.

Cornelis Vosch requests that Abraham Staets may receive 7 beavers out of the first payment for his house.

Jan Joosten, plaintiff, against Albert Gerritsen, defendant.

The plaintiff gives notice of the attachment of the first payment for his house, on account of failure to pay the sum of fl.269:10, in beavers.

The defendant admits the debt.

The court condemns the defendant to pay the plaintiff the above mentioned sum out of the first payment for his house in the space of two or three days.

Harmen Vedder gives notice of the attachment of the first payment for the house of Albert Gerritsen in the sum of fl.245.

The court declares the attachment valid.

Harmen Vedder, plaintiff, against Dirck Bensick, defendant.

The plaintiff gives notice of the attachment of the defendant's house in the hands of Cobus, the tailor, who became the purchaser of the house for the sum of fl.671:10:–.

[57] The defendant admits the debt.

The court declares the attachment valid and orders the defendant to pay the plaintiff in proportion to other creditors out of the first payment.

Harmen Vedder, plaintiff, against

Default Marten *Bierkaecker*, defendant.

Pieter Jelle, plaintiff, against Cornelis Vosch, defendant.

The plaintiff demands payment of nine beavers.

The defendant admits the debt, but says that the plaintiff must finish his work.

The plaintiff replies that he has a contract with the defendant.

The court orders the plaintiff to prove on the next court day that he has a contract with the defendant.

Teunis Slingerlant, plaintiff, against Femmetjen, the bakeress.

The plaintiff demands payment of fl.445.

The defendant admits the debt.

The court orders the defendant to pay the plaintiff the sum demanded in proportion to the other creditors.

Teunis Spitsbergen, plaintiff, against Cornelis Vosch, defendant.

The plaintiff demands payment for materials furnished for the defendant's house, amounting to fl.126:8, for which he attaches the first payment for the house.

The defendant admits the debt.

The court declares the attachment valid and orders the plaintiff to be paid in proportion to the other creditors.

[58] By order of the court a record is made of the length and breadth of the lot of Teunis Spitsbergen, situated to the north of the churchyard, in width 5 rods and 2 feet; in length, in the middle, nine rods, eight feet; in width, on the east side, 5 rods, 9 feet.

Claes Bever, plaintiff, against Marcelus Janssen, defendant.

Whereas the defendant,[1] on the preceding court day, was ordered to prove that he had not given complete power to the

[1]Apparently a mistake for "the plaintiff."

arbitrators and whereas he has failed to produce such proof, he, the plaintiff, is ordered by the court to pay the defendant one beaver, according to the award of the arbitrators.

Pieter Bronck, plaintiff, against Jan, the weaver, defendant.

The plaintiff demands payment of fl.196:–.

The defendant admits the debt.

The court orders the defendant to pay the plaintiff the sum of fl.196:– demanded in the space of six weeks.

Pieter Bronck, plaintiff, against Cornelis Vosch, defendant.

The plaintiff demands payment of a certain sum of money.

The defendant admits the debt.

The court orders the defendant to pay the plaintiff the sum demanded in the space of six weeks.

Dirck Janssen Croon, plaintiff, against Daniel Rinckhout, defendant.

The plaintiff demands payment of thirty beavers.

The defendant admits the debt.

The court condemns the defendant to pay the 30 beavers to the plaintiff in the space of 14 days.

[59] Jan de Jongh, plaintiff, against Pieter Riverdingh, defendant.

The plaintiff demands payment of 10 beavers for tavern expenses and shows an account.

The defendant denies that he owes 10 beavers and claims that only the board was to be paid in beavers and that the debt for drink was to be paid in seawan.

The plaintiff replies that the defendant should have paid at the Manhatans in seawan and not have waited until he came here to dun the defendant. He therefore claims that the defendant ought to pay in beavers, market value.

The court, having heard the parties, orders the defendant to pay the account in beavers in the space of 24 hours.

Jan Hendericksz, plaintiff, against Cornelis Vosch, defendant.

The plaintiff demands payment of fl.111:–.

The defendant admits the debt.

The court condemns the defendant to pay the plaintiff the sum of fl.111 demanded and orders that the plaintiff shall compete on even terms with other creditors in getting his pay out of the second payment [for the house].

Mr Boon, plaintiff, against Roeloff Swartwout, defendant.

The plaintiff demands payment of the debt incurred by the former husband of the defendant's wife and exhibits a bond executed by Antony de Hoges, deceased.

The defendant says that inasmuch as his wife's former husband was in the employ of the patroon and the debt was incurred in the service of the same, the plaintiff must recover the same from the patroons in Holland.

The court orders the parties to go to Mr Rencelaer to request him to write about the matter to the patroons in Holland. Meanwhile, the defendant is ordered to pay the sum demanded.

[60] Fredrick Philipsen, plaintiff, against Henderick Bierman, defendant.

The plaintiff demands payment of 44 beavers, for goods received by the defendant in company with Harmen Jacobsen, deceased.

The defendant admits the debt and that he received the goods in company with Harmen Jacobsen, deceased,[1] but says that he and Harmen Jacobsen, deceased, severed partnership and that Harmen Jacobsen must pay and took over the debts.

The court orders the defendant, according to his confession, to pay the plaintiff the 44 beavers demanded, the defendant to recover the amount if he can from the curators of the estate of Harmen Jacobsen, deceased.

Willem Brouwer, plaintiff, against Christoffel Davids, defendant.

The plaintiff demands payment of fl.48 and a pair of shoes, together with ten guilders advanced to the defendant for a savage.

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[1] Harmen Jacobsen Bamboes was shot by the Indians at the Esopus on May 1, 1658. See *Doc. rel. to Col. Hist. N. Y.*, 13:77, 88, 140.

The defendant admits the debt of fl.48 and a pair of shoes, but denies that he owes the ten guilders given to a savage.

The court orders the defendant to pay the fl.48 and a pair of shoes, amounting together to fl.54, but orders the plaintiff to prove in six weeks that he advanced fl.10 for a savage.

Jan Martensen, plaintiff, against Arent van den Bergh, defendant.

The plaintiff demands payment of fl.65 for the hire of his house.

The defendant admits the debt.

The court orders the defendant to pay the plaintiff the fl.65 in the space of six weeks.

Jan Martensen, plaintiff, against Christoffel Davids, defendant.

The plaintiff demands payment of a certain sum for tavern debt.

[61] The defendant denies a part of it.

The court condemns the defendant to pay the plaintiff fl.25, according to the ordinance that a tavernkeeper may not give credit for more than fl.25.

Arent vanden Bergh, plaintiff, against Baltus Gerritsen, defendant.

The plaintiff demands payment of the sum of fl.100.

The defendant admits the debt.

The court orders the defendant to pay the plaintiff the sum demanded in the space of six weeks.

Pieter Bronck, plaintiff, against Jan Teunissen, defendant.

The plaintiff demands payment of the rent of his house, amounting to the sum of fl.150.

The defendant admits the debt.

The court orders the defendant to pay the plaintiff the fl.150 in the space of six weeks.

Pieter Bronck, plaintiff, against Jacob Teunissen, defendant.

The plaintiff demands payment of 22½ beavers for the rent of his house.

The defendant admits the debt.

The court orders the defendant to pay the plaintiff the 22½ beavers in the space of six weeks.

[62] Ordinary Session held in Fort Orange, July 16 Anno 1658

Present:

La Montagne Jan Tomassen Pieter Hartgers
Abraham Staets Françoys Boon Adriaen Gerritsen
Dirck Janssen Croon

Poulus Schrick, plaintiff, against Adriaen Appel, defendant.

The plaintiff demands payment of fl.56.

The defendant admits the debt, but claims payment for a chicken coop built against the plaintiff's house.

The plaintiff replies that it was done without his knowledge.

The court orders the defendant to pay the sum demanded and to seek to recover the amount from the person whom the court will designate.

Volckert Janssen, plaintiff, against Cornelis Teunissen, defendant.

The plaintiff demands payment of 100 beavers, for which he remained surety.

The defendant admits the surety bond and the debt, but claims that the sum must be paid in grain.

The court orders the defendant (according to the previous judgment of July 10, 1657) to pay the sum demanded cash, according to the contract made with each other.

Henderick van Dyck, plaintiff, against Gerrit Slechtenhorst, defendant.

The plaintiff demands payment of 96 beavers for merchandise delivered.

The defendant admits the debt, but says that the term has not yet expired.

The court orders the defendant to pay the plaintiff 12½ beavers cash and the balance in the month of August next.

[63] Kees Hoogenboom, plaintiff, against Madam de Hulter, defendant.

The plaintiff says that the defendant has written a note to Jacob Tyssen that the defendant would pay for the making of the plaintiff's clothes.

The defendant denies it and says that she never gave such a note and that by balance of account there is still coming to her [blank].

The court condemns the plaintiff to pay Jacob Tyssen's charges for making his clothes.

Madam de Hulter, plaintiff, against Jacob Tyssen, defendant.

The plaintiff demands payment of 8 beavers and fl.2 in seawan.

The defendant admits the debt, but claims compensation for making clothes for her servant.

The court condemns the defendant to pay the plaintiff the sum demanded cash. Furthermore, as to the servant, further proof is required.

Claes Bordingh, plaintiff, against the wife of Carsten, the Noorman, defendant.

The plaintiff demands payment of fl.12 for watermelons.

The defendant denies the debt and says that she paid.

The court orders the defendant to prove that she paid.

Daniel Rinckhout, plaintiff, against Jacob Teunissen, defendant.

The plaintiff demands payment of 4 beavers.

The defendant admits the debt.

The court condemns the defendant to pay the plaintiff the 4 beavers in the space of eight days.

Idem, plaintiff, against Meuwes Hoogenboom, plaintiff, defendant.

The plaintiff demands payment of 4 beavers.

The defendant admits the debt.

[64] The court orders the defendant to pay the 4 beavers in the space of three weeks.

Harmen Vedder, plaintiff, against Marten Hendericksz, defendant.

The plaintiff demands payment of fl.95:10 in beavers.

The defendant admits the debt.

The court orders the defendant to pay the plaintiff the sum demanded in beavers on the first of August, on pain of execution.

Caspaer Caspersen, plaintiff, against Rutger Jacobsen, defendant.

The plaintiff demands payment of fl.20.

The defendant admits the debt, but says that there is still money due to him for the yacht of Bambus.

The court orders the defendant to pay the plaintiff fl.20 and to seek to recover the amount from the estate of Bambus.

Philip, the brewer, plaintiff, against Jacob Loockermans, defendant.

The plaintiff demands payment of fl.92, including 6½ beavers.

The defendant admits the debt.

The court, having heard the parties, orders the defendant to pay the plaintiff the sum demanded in beavers for so far the payment must be in beavers, or in seawan at fl.12 per beaver, and the rest in seawan, within the space of three weeks.

Adriaen Symonsen, plaintiff, against Albert Gerritsen, defendant.

The plaintiff demands payment of the sum of 25½ beavers.

The defendant admits the debt.

The court orders the defendant to pay the plaintiff the sum demanded and decrees that the plaintiff shall have the preference over others out of the second payment for the house sold by the defendant.

[65] Claes Bordingh, plaintiff, against

Default Pieter, the brewer, defendant.

Tierck Claessen, plaintiff, against

Default Volckertien van Hoesem, defendant.

Daniel Rinckhout, plaintiff, against

2d Default Henderick Gerritsen, defendant.

Pieter Bronck, plaintiff, against

Default { Claes vanden Berch, Henderick Claessen, Barent Oosterman } defendants

Albert Gerritsen, plaintiff, against

Default { Willem Hap, Willem Hoffmeyer } defendants

Baltus, the servant of Tomas Janssen, plaintiff, against

Default Dirckien Martensen, defendant

The honorable officer, plaintiff, against Pieter Bronck, defendant.

The plaintiff says that the defendant on the thirteenth of this month, without cause, wantonly beat Barent Oosterman and the next day, because he had complained to the officer, again beat the said Barent Oosterman, whereupon Barent Oosterman took refuge in the fort, requesting protection against the defendant, so that the officer, on these complaints, took him under his protection. The 15th instant, the said Pieter Bronck called on the officer [66] and asked him if the said Barent Oosterman had complained to him? The honorable officer told him, Yes, and that he had taken him under his protection from the violence of the defendant. Whereupon the said defendant said: "The devil take him. I shall hurt him so that he will remember it." He immediately went to Hans Vosch's, where the aforesaid Barent Oosterman was, and in the presence of many people he has without a word of altercation beaten the said Barent Oosterman until blood flowed, which was seen by the plaintiff himself who separated them. The aforesaid officer complains of assault and violence committed against civic liberty, against justice and against the respect which every one must bear [toward his fellow man]. He therefore demands that the defendant, for his assault and insolence, be banished for the space of three years, as an example to others.

The defendant admits that he beat [Barent Oosterman] three times, the last time in the fort, but says that he had reason for it, which he promises to prove on the next court day.

The court, having heard the parties, orders that the defendant, being a burgher, be released from confinement and that he must produce his proof on the next court day, under penalty of arrest.

[67] The honorable officer, plaintiff, against Poulus Janssen, defendant.

The plaintiff says that the defendant on the 12th of this month, about midnight, carried a small cask of brandy from the fort to the Indians in front, as appears from the affidavits of three trustworthy witnesses, and requests that he be examined upon interrogatories.

The court orders that the defendant be examined upon interrogatories, in order to hear the truth of the matter.

Interrogatory of Poulus Janssen held at the request of the officer in the presence of the honorable magistrates of this court.

1 How old he is and where born?	Answer: 32 years; born at Gurcum.[1]
2 Whether last Friday night, about 12 o'clock, he did not take a small cask of brandy from the fort to the Indians on the island directly opposite?	Answer: Yes.
3 From whom he obtained the small cask of brandy?	Answer: From Hans Vosch.
[68] 4 In what way he received the brandy?	Answer: Hans Vosch let him have a small cask over the north east bastion by means of a rope through a loophole.
5 How often he has done this with Hans Vosch?	Answer: Does not know how often, but says that Hans Vosch himself at another time

[1] Gorcum, or Gorinchem, in the province of South Holland.

brought a small cask of brandy into the canoe.

6 Upon what condition he went out selling brandy?

Answer: Upon one third of the profits, the wife of Hans Vosch having put one third part water into the brandy.

July 17th, the magistrates again assembled and reexamined Poulus Janssen and confronted him with Hans de Vosch. After the reading of his previous statements, he persisted therein and affirmed that Hans de Vosch gave him the brandy from the north east bastion of the fort and says that he has several times helped him carry brandy out of the fort. He states that he gave the beavers which he received from the Indians for the brandy to Hans Vosch's wife and he presumes that the beavers are still in the house, as he saw them yesterday evening. Hans de Vosch absolutely denies this and protests that he is not guilty of the deed and demands proof.

[69] On the same date, the officer and two magistrates, Jan Tomassen and Adriaen Gerritsen, accompanied by Poulus Janssen, went to the house of Hans de Vosch and searched the same. They did not find the beavers, but found the whole house empty of furniture, with the exception of one bed, which lay on the floor.

Geertien, the wife of Hans Vosch, acknowledges that she once gave Poulus Janssen 32 pints of brandy, for which the aforesaid Poulus Janssen was to give her one beaver for each 20 *mutsjes*, but she denies that she gave orders to sell to the Indians.

Johannes La Montagne, in his capacity of officer, having seen the testimony of three witnesses and the confrontation of their testimony with Poulus Janssen, at present a prisoner, in the presence of the court, and his voluntary confession made without torture or irons, whereby it appears that the said Poulus Janssen, in violation of the ordinance, has ventured several times

to sell brandy to the Indians, which is a matter of very dangerous consequence, which can not be tolerated in a country where justice prevails; therefore, the aforesaid La Montagne, in the aforesaid [70] capacity demands that the aforesaid Poulus Janssen, having incurred the penalty provided by the ordinance issued by the honorable director general and council against such malefactors and here published for the last time on October 6, Anno 1656, shall be condemned to pay a fine of 500 guilders and in addition be banished this province for the period of the following six years, and be ordered to pay the costs of the trial, as an example to others.

Whereas Poulus Janssen, contrary to the ordinance issued by the honorable director general and council of New Netherland and published here several times, has ventured [to sell brandy to the Indians], as appears from the testimony of three irreproachable witnesses given in our presence and from his own confession made without torture or irons, which is a very dangerous offense, tending to the general ruin of the country, which can not be tolerated in a country where justice prevails; therefore, we, having first evoked the name of God, in order to maintain the ordinance issued by the honorable director general and council of New Netherland, doing justice in the matter of the complaint of the honorable officer of this place, have condemned, as we condemn hereby, the said Poulus Janssen [71] in accordwith the ordinance, to pay a fine of five hundred guilders and in addition to banishment for the period of six consecutive years and the costs of his detention and trial, as an example to others. Done in Fort Orange, the 16th of July Anno 1658.

Abram Staas
Jan Thomasz
Pieter Hartgers
Françoys Boon
Adriaen Gerretsen
Dirck Jansen Croon

On the same date, the above sentence was after the third ringing of the bell, publicly read to the aforesaid Poulus Janssen.

[72] Ordinary Session held in Fort Orange, July 23 Anno 1658

Present:

La Montagne Jan Tomassen Abraham Staets
Pieter Hartgers Françoys Boon Adriaen Gerritsen
Dirck Janssen Croon

Reynier Rycken, plaintiff, against Baeffjen Pietersen, defendant.

The plaintiff demands payment of 33 beavers, arising from the sale of wine, as appears from the bond which he produces. He requests a mortgage.

The defendant admits the debt.

The court orders the defendant to pay the plaintiff the sum demanded and to give the plaintiff a mortgage on the second payment for the house sold by her.

Jacob Teunissen, in his capacity of *schout by nacht*,[1] plaintiff, against Adriaen Janssen from Leyden, *alias* Appel, defendant.

The plaintiff says that the defendant sold brandy to the Indians, as he offers to prove by affidavit of the 19th of July, which he produces. He complains of assault and violence committed against him in the exercise of his duties by Pieter Ryverdinck and the defendant and requests maintenance of justice and intervention of the officer.

The defendant denies that he committed the offense and requests a copy of the affidavit.

The court orders that the defendant is to have a copy of the

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[1] Night witchman, or constable. He was apparently the same person as Jacob Teunissen de Looper, who in *Early Records of Albany*, 3:42, has been identified with Jacob Teunissen Quick. The above entry seems to show that the designation " de Looper " was not, as suggested, a play on the English name of Quick, but a sign of his employment as night watchman. See ordinance of the city of Harderwijk, in Gelderland, of 1546, whereby the schepens granted the " lopers," or city roundsmen, an increase of pay of 2 1/2 stivers per night (J. L. Berns, *Rechtsbronnen der Stad Harderwijk*, p. 49).

affidavit, to make answer thereto on the next court day, and orders the officer to intervene in the case.

[73] Jan Roeloffsen, plaintiff, against Willem Hoffmeyer, defendant.

The plaintiff demands payment of fl.30:17.

The defendant admits the debt and offers a bundle of seawan amounting to the said sum.

The plaintiff refuses to accept the seawan and demands merchantable seawan.

The parties having been heard, the court orders the defendant to pay the plaintiff the aforesaid sum cash in good, merchantable seawan.

Teunis Spitsbergen, plaintiff, against Willem Fredricksz, defendant.

The plaintiff demands payment of 13 beavers.

The defendant admits the debt, but claims that there is fl.28 due him of six years ago and requests that the aforesaid fl.28 be deducted.

The court, having heard the parties, orders the defendant to deduct the fl.28 from the 13 beavers and to pay the remaining 10 beavers cash.

Christoffel Davids, plaintiff, against Jacob Meus, defendant.

The plaintiff says that the defendant overcharges him and asks more than is coming to him.

The parties having been heard, the court orders that each party shall choose an arbitrator to dispose of the matter.

Dirck Janssen Croon, plaintiff, against Christoffel Davids, defendant.

The plaintiff demands payment of four beavers, for which the plaintiff has attached 14 napkins and 12 pewter plates.

The defendant admits the debt.

The court declares the attachment valid and orders the defendant to pay the sum demanded, or in default thereof to give security for the final liquidation.

[74][1] Assar Levy, attorney for Joseph d'Acost, plaintiff, against Hans Coenraetsen, defendant.

The plaintiff demands payment of fl.132, for which judgment was given against the defendant by the court of justice of Recife, in Brazil, which judgment he produces.

The defendant admits the debt, but says that he was driven out of Brazil by the enemy.

The plaintiff replies that the defendant a year before that was condemned to pay cash, in pieces of eight. He therefore maintains that the defendant must pay in the same specie, or in beavers or other currency here.

The court, having heard the parties, condemns the defendant to pay the sum demanded cash, provided that the plaintiff shall give security until he shows a perfect power of attorney from Joseph d'Acosta.

Daniel Rinckhout, plaintiff, against Henderick Gerritsen, defendant.

The plaintiff demands payment of fl.84 for bread obtained now and then.

The defendant admits the debt, but says that he has a counter claim.

The court orders the parties to settle with each other, the defendant being ordered to pay the balance of account within the space of six weeks.

Pieter Bronck, plaintiff, against Claes van den Bergh, defendant.

The plaintiff demands payment of fl.30:8.

The defendant denies the debt in toto.

The court orders the plaintiff to prove the debt on the next court day.

[75] Idem, plaintiff, against Henderick Martensen, defendant.

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[1]A translation of the suit of Asser Levy against Hans Coenraetsen is in Samuel Oppenheim, *The Early History of the Jews in New York*, p. 90. Hans Coenraetsz was a baker in Beverwyck. See *Early Records of Albany*, 1:26–27; 3:245–47.

The plaintiff demands payment of fl.170 for beer and wine delivered.

The defendant denies the debt and says that his partner bought it and not he, and that he knows nothing about it.

The court orders the plaintiff to furnish proof by his book on the next court day.

Jan Bastiaensen, plaintiff, against Albert Gerritsen, defendant.

The defendant admits the debt.

The court condemns the defendant to pay the plaintiff the sum demanded and orders that the plaintiff shall have equal claims with other creditors on the second payment for the defendant's house that was sold.

Madam Johanna de Hulter, plaintiff, against Rutger Jacobsen and Goossen Gerritsen, defendants.

The plaintiff demands payment of about 30 beavers for tiles and brick furnished for the church.

The court assumes the debt and asks a month's time.

Jochim, the baker, plaintiff, against Wouter, the baker, defendant.

The plaintiff demands payment of the second payment for his house, amounting to fl.975 in beavers.

The defendant admits the debt, but says that the term has not yet expired.

The court orders the defendant to pay the sum demanded to the plaintiff as soon as the term shall have expired.

[76] Albert Gerritsen, plaintiff, against

3d default Willem Hap, defendant.

Claes Bordingh, plaintiff, against Pieter, the brewer, defendant.

The plaintiff demands payment of four beavers.

The defendant admits the debt and asks for time.

The court orders the defendant to pay the plaintiff, or to give security, within the space of six weeks.

Jan van Eeckelen, plaintiff, against Wynant Gerritsen, defendant.

The plaintiff demands restitution of fl.273, which the plaintiff loaned the defendant, being the balance of a larger sum.

The defendant admits the debt.

The court orders the defendant to pay the plaintiff the sum demanded cash.

Jacob Teunissen, plaintiff, in his capacity of *schout by nacht*,[1] against Jan Martensen, defendant.

The plaintiff says that the defendant sold brandy to the Indians, as he offers to prove by affidavit of himself and Jan Teunissen, which he produces in court and requests that the officer shall intervene in the case.

The defendant denies that he committed the deed and requests a copy of the affidavit.

The court orders the plaintiff to furnish the defendant with a copy of his affidavit to make answer thereto on the next court day, and orders the officer to intervene in the case.

[77] Extraordinary Session held in Fort Orange, July 30, 1658
Present:

La Montagne	Abraham Staets	Pieter Hartgers
Françoys Boon	Jan Tomassen	Dirck Janssen Croon

Stoffel Janssen, plaintiff, against Jan Harmsen, defendant.

The plaintiff claims that although he was the highest bidder at the public auction of the defendant's house, he is not bound to keep the house, as the defendant, as a friend, secretly told the plaintiff that he would not let the house go for less than fourteen hundred guilders, which he offers to prove by Adriaen Gerritsen.

The defendant denies that he told the plaintiff that he would

[1] Night watchman, or constable.

hold him free from all claims under 1400 guilders, but says that he told Adriaen Gerritsen so.

Adriaen Gerritsen testifies that the defendant, Jan Harmsen, said that he would release the plaintiff from all demands under 1400 guilders and has declared under oath that this is true.

The parties having been heard, the plaintiff and his witness having sworn to their statement and the defendant having refused to take the oath, the defendant is ordered to keep the house and to pay the costs of the suit, provided that defendant shall get back half the auction fees.

[78] Extraordinary Session held in Fort Orange, August 1, 1658

Present:

La Montagne	Abraham Staets	Pieter Hartgers
Françoys Boon	Jan Tomassen	Adriaen Gerritsen

Cornelis Cornelissen, plaintiff, against Willem Brouwer, defendant.

The plaintiff demands payment of one hundred beavers and fl.4 which the defendant owes him according to the agreement made between him and the defendant, as appears by the affidavit of two witnesses.

The defendant denies that he made such an agreement, but admits that he promised to pay 50 beavers by an order on Philip Pietersen.

The court, having heard the parties and having examined the affidavit of the two witnesses, whereby it appears that the defendant promised to pay the plaintiff in the month of June 1658 the number of 100 beavers, declares the aforesaid contract valid and orders the defendant to pay the plaintiff the number of beavers demanded in eight days, with the costs of the extraordinary session.

[79] Extraordinary Session held in Fort Orange, August 6 Anno 1658

Present:

Jan Tomassen Pieter Hartgers Françoys Boon
Adriaen Gerritsen Dirck Janssen Croon

The honorable officer, plaintiff, against Hans Vosch, defendant and prisoner.

The plaintiff says that Hans de Vosch, under-sheriff, was charged on July 16th by Poulus Janssen with being his accomplice in the act of selling brandy to the Indians. Said charge having been investigated by the court, it was, upon his absolute denial of the same, out of consideration for him, ordered that instead of putting him in irons he would be kept in custody in his house under a guard of two soldiers. He escaped from this custody during the night of the 22d of July, through a window, and ran to Katskil, which escape sufficiently proves that he was guilty of the crime. In order to investigate the truth of the matter, the said officer requests that the defendant may be examined upon interrogatories.

The court grants the request that the defendant be examined upon interrogatories.

[80] Interrogatory of Hans de Vosch, conducted at the request of J. La Montagne, in his capacity of officer, in the presence of the honorable court.

1 How old he is and where born? Answer: 45 years old and born at Lunnenburgh.[1]

2 Why he escaped from his detention? Answer: He escaped because Willem Bout tormented him so about a debt, and demanded what he did not have.

3 In what manner he escaped and whether it was by day or by night? Answer: Through a window, at the north east point, about midnight.

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[1] Lüneburg, the eastern portion of Hanover.

4 What money he took with him and to whom he gave it?

Answer: He took no money with him except what Cobus de Looper took from him in Katskil.

The court, having heard the parties, orders that Hans Vosch, in custody, shall, as a former servant of the Company, be delivered to the custody of the honorable fiscal of New Netherland to be proceeded against according to circumstances and the judgment of the aforesaid gentleman.

[81] Ordinary Session held in Fort Orange, August 6 Anno 1658

Present:

La Montagne	Pieter Hartgers	Françoys Boon
Jan Tomassen	Adriaen Gerritsen	Dirck Janssen Croon

Jan Roeloffsen, plaintiff, against Cobus Teunissen, defendant.

The plaintiff demands payment of 11 beavers and fl.5 in seawan and two days' carting.

The defendant admits the debt, but says that he has a counter claim.

The court orders the parties to settle with each other and condemns the defendant to pay the plaintiff upon liquidation the sum demanded in eight days.

Idem, plaintiff, against Willem Janssen Schutt, defendant.

The plaintiff demands payment of three beavers.

The defendant admits the debt.

The court orders the defendant to pay the plaintiff the three beavers demanded within the space of eight days.

Idem, plaintiff, against Pieter Loockermans, defendant.

The plaintiff demands payment of three beavers.

The defendant admits the debt.

The court orders the defendant to pay the plaintiff the three beavers demanded within the space of eight days.

Albert Gerritsen, plaintiff, against Willem Hofmeyer, defendant.

The plaintiff demands payment of fl.20:8 in seawan.

The defendant admits the debt.

The court orders the defendant to pay the plaintiff in eight days.

[82] Pieter de Maecker, plaintiff, against Gillis Pietersen, defendant.

The plaintiff demands payment of fl.29 in beavers.

The defendant admits the debt.

The court orders the defendant to pay the sum demanded in eight days.

Daniel Rinckhout, plaintiff, against Jan Martensen, defendant.

The plaintiff demands about 38 beavers.

The defendant admits the debt.

The court orders the defendant to pay the beavers demanded in the space of eight days.

[83] Extraordinary Session held in Fort Orange, August 8 Anno 1658

Present:

J. La Montagne Pieter Hartgers Françoys Boon
Jan Tomassen Adriaen Gerritsen Dirck Janssen Croon

Ida Claessen, plaintiff, against Dirck Carstensen, defendant.

The plaintiff complains that the defendant has defamed her in calling her a thief and offers to prove it and produces affidavits of five witnesses testifying to her honest conduct.

Dirck Carstensen, defendant, denies that he said that the plaintiff was a thief, but admits that he said that three silk cords (*koordebanden*) were found in her pocket when they searched each other on the Fresh river.

The plaintiff persists in her complaint and produces in proof thereof Barent Reyndersen, Philip Pietersen and Jan Tomassen

as witnesses, with the request that they may be examined by the court.

Barent Reyndersen, appearing before the court, testifies that Dirck Carstensen told him several times that Ida Claessen was a thief.

Jan Tomassen declares before the court that Dirck Carstensen, being in the deponent's house, said that Ida Claessen around the north had stolen silk and *koordebanden*.

Philip Pietersen, being asked whether he has heard Dirck Carstensen say that Ida Claessen was a thief, answers that he heard it from the said Dirck Carstensen or from his brother-in-law.

[84] The defendant being asked by the court why they searched each other on the Fresh river, answers that Willem Symonsen said: "There is a thief among the seven of us who slept in the garret at Southold on Long Island."

Willem Symonsen, appearing, denies absolutely that he said so on the Fresh river. He also denies that he heard Ida Classen say: "What am I coming to?"

Pieter Maecker testifies that on the ship he saw nothing but what was honorable and virtuous, but in sailing from the Fresh river, there was some mumbling and he was searched together with some others. At last, three *koordebanden* were found in possession of Ida Claessen, who exclaimed: "What am I coming to?"

Dirrick Dircksz, appearing before the court to swear to his affidavit against Ida Claessen which he made on the 7th of August 1658 at the request of Dirck Carstensen, has confirmed the said affidavit by oath.

Gerrit Visbeeck, appearing before the court, swears to the aforesaid affidavit at the request of Dirck Carstensen.

The court orders the parties respectively to challenge the witnesses or to accept the testimony on the next court day. Meanwhile, the defendant remains under arrest in the village of Beverwyck.

[85] Extraordinary Session held in Fort Orange, August 13 Anno 1658

Present:

Pieter Hartgers Françoys Boon Jan Tomassen
Adriaen Gerritsen Dirck Janssen Croon

Ida Claessen, plaintiff, against Dirck Karstensen, defendant.

The plaintiff requests that the defendant, in accordance with the preceding order of the court shall challenge the witnesses or accept the testimony in her case and that judgment be given.

The defendant declares that he has nothing to say against the witnesses, except that they did not understand him very well and denies that he ever said that she was a thief. He declares that he does not know that Ida Claessen is a thief or that she has ever committed any dishonest act and knows nothing about her but what is honorable and virtuous.

DIRCK KARSTENSZ

The court, having heard the parties, adjudge the satisfaction given by the defendant to be sufficient and condemn him for his offense to pay a fine of fifty guilders and the costs of the trial, according to the declaration which the plaintiff shall make. Meanwhile, the defendant remains under arrest until the satisfaction of the judgment.

[86] Extraordinary Session held in Fort Orange, August 13 Anno 1658

Present:

Pieter Hartgers Jan Tomassen Françoys Boon
Adriaen Gerritsen Dirck Janssen Croon

Jan Claessen, baker, from Osanen, plaintiff, against Marcelus Janssen, defendant.

The plaintiff demands payment of seventy-one and a half beavers.

The defendant asks for an account and admits the debt.

The court, having heard the parties, orders the defendant to pay the acknowledged debt in the space of eight days, on pain of execution, with one third of the costs of the extraordinary session.

Idem, plaintiff, against Dirck van Hamel, defendant.

The plaintiff demands payment of 12 beavers.

The defendant admits the debt.

The parties having been heard, the court orders the defendant to pay the plaintiff in the space of eight days the sum demanded, or as much as the plaintiff by proper account may show, together with a third part of the costs of the extraordinary session.

Idem, plaintiff, against Adriaen Appel, defendant.

The plaintiff demands payment of 12 beavers.

The defendant admits the debt.

The court, having heard the parties, orders the defendant to pay the plaintiff the sum demanded in the space of eight days.

[87] Dirck Janssen Croon, plaintiff, against Pieter Jacobsen Bosboom, defendant.

The plaintiff demands a gun from the defendant, which the defendant in fighting took away from Marten, the mason, and which gun the plaintiff lent to Marten, the mason, to go on guard duty.

The defendant admits that it is the plaintiff's gun.

The court orders the defendant to return the aforesaid gun to the plaintiff, the defendant reserving the right to recover damages from Marten, the mason.

[1] Extraordinary Session held in Fort Orange, August 13 Anno 1658

Present:

La Montagne	Pieter Hartgers	Jan Tomassen
Françoys Boon	Adriaen Gerritsen	Dirck Janssen Croon

Before the court appeared the eldest sachems of the Maquas, 15 in number, bringing with them a Frenchman named Lowies

[1] Revised from *Doc. rel. to Col. Hist. N. Y.*, 13:88–89.

Parraget, whom they declare they wish to deliver with two other prisoners to the French governor of the Three Rivers of Canada, in exchange for six of their own taken prisoners by the French, wishing at the same time to make a general peace with the French and requesting for that purpose that we would assist them with one of our men who could speak the French language well.

To which request answer was made by the court that they were glad that they intended to take back the Frenchmen and that they hoped that their own prisoners would be returned in their stead, but that they did not know whether [88] any one could be found among them who would be willing to undertake such a journey.

Whereupon the said Maquas explained that at the time of the war with the Indians they had gone down to the Manhatans and done their best to bring about peace and that it was our duty to do the same in such circumstances for them, promising in the future to do their best between us and other Indians.

Whereupon the court immediately summoned the public crier and had him announce that if any one cared to undertake such a journey, he would receive one hundred guilders for his trouble. Upon which conditions Henderick Martensen offered his services to the court, which greatly pleased the aforesaid Indians, who gave evidence of their satisfaction.

The 16th instant the aforesaid Henderick Martensen was sent to Canada with the Maquas, who promised him to bring him back in 40 days, with the following letter:

A Monsieur
Monsieur de la Poterie, Gouverneur des trois Rivieres
En la Novelle France

Monsieur

Les Indiens des nostres nommez Maquaes, des vostres Irroquoys, sont venius icy ammenant avecq eux un François nommé Louys Paraget, lequel (comme ils nous ont declaré) ils desirent, avecq deux autres, remener de par dela, et vous les rendre, en contreschange de six des leurs que vous destenez prisoniers. Et

par mesme moyen faire La paix avecq tous les Indiens de vos quartiers. Et parce qu'ils ne l'osent pas faire en personne; Ils nous ont requis de les vouloir assister de quelqu'un des nostres, qui eust cognoissance de la [89] Langue françoise pour les servir en cette occasion. Ce que nous n'avons pas peu leur refuser, craignant de rompre L'occasion d'une bonne affaire; voila pourquoy nous avons expedié un soldat nomme Henry Martin, pour les servir en cet affaire selon que L'occasion et le droit le requera; esperant que vostre S: prendra en bonne part ce que nous faisons, qui ne procede que d'une bonne intention et syncere affection. Cependant je demeure Mr–

Vostre tres humble et obeissant serviteur

LA MONTAGNE[1]

Translation[2]

To Mr de la Poterie, Governor of the Three Rivers
In New France

SIR:

The Indians, by our people called Maquas and by your people Iroquois, have come here, bringing with them a Frenchman named Louys Paraget, whom (as they have stated to us) they desire with two others to bring back there and to surrender to you in exchange for six of their people whom you hold prisoners, wishing at the same time to make peace with all the Indians in your parts. And as they dare not do it personally, they have asked us to assist them with some one who has knowledge of the [89] French language, to serve them on this occasion. Which we could not refuse them, for fear of losing the opportunity of doing a good work. For this reason we have dispatched a soldier named Henry Martin, to serve them in this matter as the occasion and justice may require, hoping that your

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[1] The above letter, with certain variations, is printed in O'Callaghan, *History of New Netherland*, 2:366, where the date is given as August 15, 1658.

[2] Revised from *Doc. rel. to Col. Hist. N. Y.*, 13:89.

honor will take in good part what we are doing, which proceeds only from good intentions and sincere affection. Meanwhile I remain, Sir,

Your very humble and obedient servant,

La Montagne

Ordinary Session held in Fort Orange, August 26 Anno 1658

Present:

La Montagne Pieter Hartgers Jan Tomassen
Françoys Boon Adriaen Gerritsen Dirck Janssen Croon

Willem Fredricksen, plaintiff, against Dirck Bensingh, defendant.

The plaintiff demands payment for his yacht, amounting to 88 beavers.

The defendant admits the debt, but says that he does not know where to get beavers.

The court, having heard the parties, orders the defendant to pay the plaintiff the 88 beavers demanded in the space of eight days, or to satisfy the plaintiff by giving security or otherwise.

Abraham Vosborgh, plaintiff, against Wynant Gerritsen, defendant.

The plaintiff complains that for four weeks the defendant has not worked in the sawmill, according to the contract made with each other.

The defendant admits that he has not been at the mill, but says that it has been on account of lack of work.

[90] The court refers the matter to referees and in case they can not agree, their case shall be decided by the council of the colony of Rencelaerswyck.

Asser Levy, plaintiff, against Jan van Eeckelen, defendant.

The plaintiff demands payment of fl.184 in beavers.

The defendant admits the debt.

The court, having heard the parties, orders the defendant to

pay the plaintiff the sum demanded in the space of eight days, under penalty of execution.

Gabriel de Haes, plaintiff, against Tomas Pouwel, defendant.

The plaintiff demands payment of 13 beavers.

The defendant admits the debt, but says that he gave an order for 5 beavers, so that there still remain 8 beavers.

The court, having heard the parties, order the defendant to pay the plaintiff the eight beavers cash. In regard to the payment of the remaining five beavers, the plaintiff is to have patience until further proof is obtained from Symon Janssen, on pain of execution.

Jan Roeloffsen, attorney of Hans Kiersteede, plaintiff, against Claes Ripsen, defendant.

The plaintiff demands payment of four beavers.

The defendant admits part of the debt and says further that the plaintiff must have a complete power of attorney from Hans Kiersteden.

The court orders that the plaintiff must first send for a complete power of attorney in order to proceed according to law.

[91] Pieter Ryverdingh, plaintiff, against

Default Matteus Abrahamsen
Marretien Claes } defendants

Storm Albertsen, plaintiff, against

Default Henderick, the brewer, defendant

Extraordinary Session held in Fort Orange, August 26 Anno 1658

Present:

Jan Tomassen Pieter Hartgers Françoys Boon
Adriaen Gerritsen Dirck Janssen Croon

Interrogatory of Nicolaes Gregory Hillebrant, held before the honorable magistrates of this court, at the request of the officer.

1 How old he is and where born?	Answer: 29 years and born at Prague.
2 Whether on the 20th of this month, being a Tuesday, in the evening, he was not in the garden of Jochim Ketluyn?	Answer: Yes.
3 Whether, being there, he did not lie on his knees?	Answer: No.
4 ..... [1]	Answer: ..... [1] .....
[92] 5 Whether, being in that condition, he did not have Pieter Adriaensen, the son of Henderick Jochem's wife, in front of him?	Answer: Yes, and that he had his hand on him.
6 ..... [1]	Answer: No.
7 Whether, when the boy refused and screamed, he did not threaten to beat him with a stick which he had with him?	Answer: No.
8 Whether, doing this, he did not see Rutger Jacobsen, who said: "What are you doing there, rascal?"	Answer: Yes.
9 Whether, hearing Rutger Jacobsen say this, he did not go out of the garden?	Answer: Yes.
10 Whether he did not follow the said Rutger Jacobsen to Henderick Jochimsen's house and on the way say to him: "If you say anything about it, I shall tell them that you lie like a rascal?"	Answer: He followed him, but did not say what is stated in the rest of the question.

[1] Unprintable matter.

11 Whether, being at Henderick Jochimsen's house, he did not per-force wish to drink with the said Rutger Jacobsen and did not become so importunate that the bystanders said: "What is the matter with you, Nicolaes? Have you anything on your conscience?"	Answer: No.

[93] The court, having examined the testimony of Rutger Jacobsen and the answers made by Nicolaes Gregory Hillebrant to the interrogatories, have decided that the said Nicolaes Gregory, being a servant of the honorable Company, shall be sent to the director general and council of New Netherland.

[1] Extraordinary Session held in Fort Orange, September 3 Anno 1658

The honorable officer, plaintiff, against Christoffel Davids, defendant.

The plaintiff says that an affidavit from the Esopus has been handed to him, according to which the defendant, coming from the Manhatans in the yacht of Evert Pels and while being in the Highlands, said to two savages who came on board that the Sachem, to wit, the honorable general, had killed the savages at the Manhatans and that the following night he would come to the Esopus and there also break the necks of the savages, whereupon the savages of the Esopus took some Christian prisoners and committed great outrages.

The honorable plaintiff therefore requests that the defendant be examined upon interrogatories.

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[1] Revised from *Doc. rel. to Col. Hist. N. Y.*, 13:90–91.

Interrogatory of Christoffel Davids, held at the request of the honorable officer before the honorable magistrates of the said court.

1 How old he is and where born?

Answer: 42 years and born in the Bishopric in England.[1]

[94] 2 Whether, in coming from the Manhatans and being in the Highlands, he did not call out or say that the Dutch in the night of the 23d of August had killed many savages at the Manhatans and that the following night they would come to the Esopus and break the necks of the savages there?

Answer: No, but that he said to the savages who were on board: "I know nothing about that."

The defendant pleads not guilty and produces two affidavits, one from Henderick v: Dyck and the other from Dirck Janssen, skipper, who attest that while they were in the Highlands two savages came on board, who asked Christoffel Davids whether the Sachem would come and kill all the savages in the Esopus and the Highlands? Whereupon Christoffel Davids answered: "I know nothing about it."

Ordinary Session held in Fort Orange, September 10, 1658

Present:

La Montagne — Jan Tomassen — Abraham Staets
Pieter Hartgers — Françoys Boon — Adriaen Gerritsen
Dirck Janssen Croon

Claes Hendericksz, plaintiff, against Jan Verbeeck, defendant.

The plaintiff demands payment of fl.500 in beavers, for the plaintiff's house, sold at auction.

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[1] Mr Fernow omits the word "Bisphoric," which probably refers to Canterbury.

The defendant admits the debt and says that he has not refused to pay, but that he has no beavers at present. He therefore promises to pay in six weeks.

[95] The court, having heard the parties, order the defendant, according to his promise, to pay the plaintiff the sum demanded in the space of six weeks, and order the officer to intervene in the case, as the house was sold in public.

Claes Hendericksen, plaintiff, against Claes Janssen, defendant.

The plaintiff demands payment for a lot that the defendant bought of him for 31½ beavers.

The defendant admits the debt.

The court orders the defendant to pay the plaintiff the 31½ beavers demanded in the space of six weeks.

Casper Jacobsen, plaintiff, against Claes Hendericksz, defendant.

The plaintiff demands payment of fl.350 in beavers, or so much as appears from the account.

The defendant admits the debt.

The court orders the defendant to pay the sum demanded in the space of six weeks.

Asser Levy, plaintiff, against

Default Jacob Loockermans and Henderick Gerritsen, defendants.

Harmen Vedder, plaintiff, against Caspaer Jacobsen, defendant.

The plaintiff demands payment of fl.81 in beavers.

The defendant admits the debt.

The court orders the defendant to pay the plaintiff the sum demanded in the space of six weeks.

Idem, plaintiff, against

Default Abraham Vosborch and Jacob Loockermans, defendants.

Jan de Graeff, plaintiff, against

Default Pieter Loockermans and Teuwes Abrahamsen, defendants.

[96] Storm Albertsen, plaintiff, against
Default Henderick, the brewer, defendant.

Harmen Vedder, plaintiff, against Harmen Bastiaensen, defendant.

The plaintiff demands payment of fl.74:5, in beavers.

The defendant admits the debt.

The court orders the defendant to pay the sum demanded in the space of six weeks.

Jan Roeloffsen, plaintiff, against
Default Jacob Loockermans, defendant.

Harmen Bastiaensen, plaintiff, against
Default Dirck van Hamel, defendant.

Jan Lambertsen, plaintiff, against
Default Teeuwes Abrahamsen and Pieter Loockemans, defendants

Arent vanden Bergh, plaintiff, against
Default Henderick Gerritsen, Jacob Loockemans, Adam Dinghmans } defendants

Hans Carelse, plaintiff, against Arent vanden Bergh, defendant.

The plaintiff demands payment for two kegs of salted fish, amounting to 3 beavers.

The defendant admits the debt.

The court condemns the defendant to pay the plaintiff the aforesaid 3 beavers demanded in the space of six weeks.

[97] Ordinary Session held in Fort Orange, October 1 Anno 1658

Present:

La Montagne	Jan Tomassen	Abraham Staets
Françoys Boon	Pieter Hartgers	Adriaen Gerritsen

Jan Barentsen and Carsten Claessen, both carpenters, plaintiffs, against Isbrandt Dircksen, defendant.

The plaintiffs demand payment of fl.169:5.

The defendant admits the debt.

The court, having heard the parties, examined the judgment rendered by the honorable burgomasters and schepens of the city of New Amsterdam, and heard the voluntary acknowledgment of the defendant, condemn the said defendant to pay the plaintiff the acknowledged debt of fl.169:5, cash, on pain of imprisonment for debt.

Assar Levy, plaintiff, against

Default Henderick Gerritsen and Dirckjen Martensen, defendants.

Johan Labite, plaintiff, against Jan Gauw, defendant.

The plaintiff says that the defendant has agreed to build his chimney and declares that he is greatly interested in having the work done.

The defendant admits that he agreed to do it and promises to go to work at once. Fiat.

Storm Alberdtsen, plaintiff, against Henderick, the brewer, defendant.

The plaintiff demands payment of 8 beavers, for which the defendant became surety.

[98] The defendant admits the debt.

The court orders the defendant to pay the aforesaid 8 beavers to the plaintiff in the space of six weeks.

Jan Gauw, plaintiff, against Claes Bever, defendant.

The plaintiff demands payment of one beaver.

The defendant denies the debt.

The court, having heard the parties, orders the plaintiff to prove on the next court day that the defendant owes him one beaver.

Gerrit Reyersen, plaintiff, against

Default Dirck Bensingh, defendant.

Idem, plaintiff, against Pieter Bronck, defendant.

The plaintiff demands payment of 11½ beavers for brick delivered.

The defendant admits the debt.

The parties having been heard by the court, the defendant is ordered to pay the plaintiff the 11½ beavers in the space of 14 days, on pain of execution.

Jan Adriaensen de Graeff, plaintiff, against

Default { Matteuwes Abrahamsen, Pieter Loockermans, Jan Roeloffsen } defendants.

Wouter, the baker, plaintiff, against

Default Jurriaen Teunissen, defendant.

Default { Jurriaen Teunissen, plaintiff, against Jan Roeloffsen, defendant.

Jacob Adriaensen, plaintiff, against Jan Anderiessen de Graeff, defendant.

The plaintiff says that the defendant became surety for the servant of Pieter Bruyn in the amount of fl.63:13.

[99] The defendant denies that he became surety for that amount for Pieter Bruynsen, but admits that he offered to do so if Pieter Bruynsen owed him money.

The court orders the plaintiff to sue Pieter Bruynsen and dismisses his present suit.

Extraordinary Session held in Fort Orange, October 1 Anno 1658

Present:

Abraham Staets Jan Tomassen Pieter Hartgers
Françoys Boon Adriaen Gerritsen

Eldert Gerbertsen, plaintiff, against T'Jerck Claessen, defendant.

The plaintiff demands of the defendant 200 logs, the least to be one fathom in circumference, according to the oral contract made with each other, and says that it is a matter of great

importance to him and therefore claims compensation for loss and damage sustained by him.

The defendant admits the oral contract made with the plaintiff and promises to haul them out within the space of 14 days and not to do any other work until the plaintiff is satisfied.

The court, having heard the parties, orders the defendant, according to his promise, to deliver within the space of 14 days the 200 logs, the thinnest to be one fathom in circumference, and to pay the costs of the suit, under penalty of the loss and damage which the plaintiff has already suffered or may still suffer.

[1][100] Extraordinary Session held in Fort Orange, October 8 Anno 1658

Present:

Commissary La Montagne	Jan Tomassen
Pieter Hartgers	Adriaen Gerritsen

There appeared before the court the sachems (*Sackimaes*) of the three Maquas castles, having with them Saciadego, as their spokesman, who requested as follows:

First, that we should tell them whether we knew where the Frenchman (who the last time came here with them)[2] was at present.

Secondly, whether we did not know that they had not killed the aforesaid Frenchman?

Thirdly, they requested that we should write to the governor of Canada that they had not killed the said Frenchman.

Fourthly, whether Commissary La Montagne would not go with them to Canada to make peace with the French?

To which questions or propositions the court gave for answer:

First, that they did not know where the Frenchman was at present.

Secondly, that they had not heard that they had killed him.

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[1] Revised from *Doc. rel. to Col. Hist. N. Y.*, 13:92–93.

[2] Louis Paraget.

Thirdly, that they were willing to write to that effect.

To the fourth proposition: that the commissary was appointed to guard this place and could not leave it without the consent of the great Sachem (*de groote Sachimaker*).

[101] Hereupon they asked us to provide them with a man who understood the French language and also with a letter to the governor of Canada. This was promised them, whereupon Jacob Begyn, a soldier, immediately offered his services. He went with them on the 9th of this month, with a letter of this tenor.[1]

Ordinary Session held in Fort Orange, October 15 Anno 1658

Maretien Clasen, plaintiff, against Wynant Gerritsen, defendant.

The plaintiff complains and says that the defendant called her a thief and said that she stole a hen from the defendant, and offers to have Maria Lambertsen prove it.

Marya Lamberts, appearing before the court, declares that the defendant said that the plaintiff stole a hen and repeated it several times.

The defendant denies that he said that the plaintiff was a thief.

The court, having heard the parties, orders the defendant to swear that he did not say so and in case of refusal that the plaintiff shall take her oath and that the defendant shall be condemned to make reparation of the plaintiff's character and also pay a fine of 12 guilders for the poor.

Wynant Gerritsen declares that he knows nothing about the plaintiff but what is honorable and virtuous and for his defamation he pays 12 guilders for the poor,

[102] Wynant Gerritsen, plaintiff, against Jacobus Tysen, defendant.

The plaintiff demands payment of fl.44:19:8.

The defendant admits the debt.

Jan Gou, plaintiff, against Claes Bever, defendant.

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[1] The text of the letter is not given in the record.

The plaintiff demands one beaver for a drag net which they owned together.

The defendant denies the debt and says that he gave two half beavers.

The plaintiff replies and says that the two half beavers were for repairing the drag net.

The court, having heard the parties and the admission of the defendant that he had an interest in the drag net, for which he said he paid two half beavers, which the plaintiff claims were for repairs of the drag net, it is ordered by the court that the parties shall respectively choose a referee to settle their difference.

Jacob Teunesen, plaintiff, against
Default Abraham, the tailor, defendant.

Mr Boon, plaintiff, against
Default Hendr. Bierman, defendant.

Gerrit Reyersen, plaintiff, against
Default Dirck Bensich, defendant.

Marcelis Jansen, plaintiff, against
Default Marten Biercaker, defendant.

[103] Ordinary Session held in Fort Orange, November 25 Anno 1658

Present:

La Montagne Abraham Staets Jan Tomassen
Françoys Boon Adriaen Gerritsen

Abraham, the tailor, plaintiff, against Jochim Ketluyn, defendant.

The plaintiff demands payment of seven days' wages at fl.2:10 per day.

The defendant denies that the plaintiff worked seven days, but admits that he worked six days at fl.2 per day and says further that the plaintiff boarded with him for two or three days and that his wife washed for the plaintiff.

The parties having been heard by the court, the defendant is ordered to pay the plaintiff six days' wages at fl.2 a day, amounting to fl.12, from which is to be deducted for washing and board the sum of fl.2:18, leaving fl.9:2.

Jacob Loockermans, plaintiff, against Matteuwes Abrahamsen and his partner, defendants.

The plaintiff demands completion of carpenter work which the defendant is to do according to contract.

The defendant admits the contract and says that first he wishes payment for the work done.

The parties having been heard, the court orders the defendant to commence the work which he has agreed to do as soon as the plaintiff shall have made the first payment and if the plaintiff does not make the first payment within eight days, he shall forfeit his right under the contract to have the work done.

[104] The servant of Claes Hendericksz, deceased, against the widow of the same, defendant.

The plaintiff says that the defendant does not fulfil the contract which the plaintiff made with the defendant's deceased husband in Holland and also requests security for his earned wages.

The defendant says that the plaintiff slanders her everywhere by complaining about the food and claims that the defendant gave the plaintiff stinking meat to eat and requests to be released from the servant.

The court, having heard the parties and noticed their dispute, order, inasmuch as one wishes to be released from the other, that the plaintiff shall pay the defendant for the money advanced in Holland, which he received in hand paid, the sum of fl.40 in seawan.

Jochim Ketteluyn, plaintiff, against Henderick Claessen, defendant.

The plaintiff demands payment of fl.200 for rent of his house.

The defendant denies that he owes as much, since by order of the plaintiff he paid fl.108 to the carpenters of the plaintiff's house.

The parties having been heard, the defendant is ordered by the court to pay the plaintiff fl.92 within the space of one month and for the recovery of the amount to refer to the books which he and his partner kept together.

[105] Pieter Gillissen, plaintiff, against Jan Thomassen, defendant.

The plaintiff gives notice of the attachment of 76 schepels of wheat in the hands of Jan Helmsen, residing in the colony of Rencelaerswyck, for the payment of 72 beavers.

The defendant admits the debt.

The court, having heard the parties, declares the attachment valid, provided that the plaintiff address himself to the court of the colony of Rencelaerswyck.

[106] Ordinary Session held in Fort Orange, November 27 Anno 1658

Present:

La Montagne Jan Tomassen Abraham Staets
Françoys Boon Adryaen Gerritsen

Pieter Loockermans, plaintiff, against Barent Albertsen, defendant.

The plaintiff demands payment of 315 boards for wages.

The defendant produces a counter claim of fl.66:9, coming to the plaintiff, as the boards in money are counted at fl.186:1. The defendant also requests that the plaintiff complete the work which he agreed to do, as this is of much importance to the defendant.

The court, having heard the parties, order the defendant to pay the balance of the amount as soon as the plaintiff has completed the work which he agreed to do.

Henderick, the cowherd, plaintiff, against Philip, the brewer, defendant.

The plaintiff says that the defendant had his money in Katskil attached for reasons unknown to the plaintiff.

The defendant says that it was done on account of an order of long Mary,[1] from whom a sum of about fl.60 was due to the defendant.

The plaintiff admits that he owes long Mary fl.23.

The court, having heard the parties, order the parties to settle with long Mary and about their difference to appear before the court on the next court day.

[107] Evert Noldingh gives notice of the attachment of fl.43:7 in the hands of Mr van Hamel, belonging to Geurt Hendericksz, who was in default.

Anderies de Vosch, plaintiff, against Jan van Breemen, defendant.

The plaintiff demands payment of fl.225 and three muddes of wheat.

The defendant admits the debt and promises to pay the plaintiff within one year fl.112:10 and 6 schepels of wheat and the next year the other half, also with 6 schepels of wheat or grain, for which he binds the rent of his farm, which promises are accepted by the plaintiff and declared valid by the court.

[108] [Ordinance for the proper assize of bread][2]

The vice-director and magistrates of Fort Orange, village of Beverwyck and the dependencies thereof, having heard the manifold complaints of the scarcity of coarse bread which the bakers, contrary to the ordinance of the director general and council of New Netherland, published here the 6th of October Anno 1659, do not bake twice a week, the coarse loaf at 16 stivers, the white loaf in proportion, consuming, to the serious prejudice of the community, their flour in baking *Koeckjens* (little cakes) and white bread for the Indians, without [standard] weight; Therefore, the said vice-director and the honorable magistrates hereby ordain, in conformity with the aforesaid ordi-

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[1] *lange Mary*, meaning: tall Mary.

[2] Revised from *Laws and Ordinances of New Netherland*, p. 361–62.

nance, that every one who follows the trade of baking shall from this time forth twice a week bake coarse bread for the accommodation of the community and retail each coarse loaf of 8 lbs for 18 stivers, counting eight white and four black wampum beads (*sewantiens*) to one stiver, and the white loaf, according to the abovementioned ordinance, in proportion, and this provisionally, on account of the scarcity of grain; on the penalty that those who violate this ordinance shall be suspended from their business for one year, have their white bread confiscated and in addition be fined 50 guilders.

And whereas it is found by experience that many, as well of this place as coming from elsewhere, in the trading season make a business to baking *Koeckjens* and short weight white bread for the Indians, to the great loss of the bakers, and quit baking in the winter, the said vice-director and the honorable magistrates ordain that the bakers who quit baking after the trading season and before winter and do not accommodate the public in the winter, shall also not bake in the summer, on pain of fl.50 and the confiscation of the bread that is found.

Thus done at the meeting in Fort Orange, the 27th of November Anno 1658.

[109] [Ordinance fixing the rate at which certain debts may be paid in wampum][1]

The vice-director and magistrates of Fort Orange, village of Beverwyck and the dependencies thereof, having received an ordinance of the director general and council of New Netherland concerning the value of wampum (*sewant*), which their honors caused to be published on the 22d of this month, and having thereafter by petition received some complaints of the commonalty respecting the alteration of the wampum, by which their interests are greatly affected; Therefore, the said vice-director and the magistrates do hereby ordain that all the old debts which

[1] Revised from *Laws and Ordinances of New Netherland*, p. 365.

were incurred before the publication of the aforesaid ordinance and which should have been paid before that time, may be discharged within the space of eight days from this date at the rate of six white and three black wampum beads for one stiver.

Thus done at the meeting of [the court of] Fort Orange, the 29th of November Anno 1658.

[Ordinance for the better prevention of fires][1]

Whereas daily experience teaches us that in consequence of the foul and unswept condition of the chimneys these frequently catch fire and commonly the houses also, yes, oftentimes even the neighboring houses where these are covered with inflammable materials, whereby not only great damage is done to the houses and goods, but also human beings [suffer injury], a sad spectacle; Therefore, the vice-director and the honorable magistrates of this court, wishing, as by their office and in duty bound, by all means in their power to provide against such accidents [110], do hereby order all burghers and inhabitants of Fort Orange and the village of Beverwyck, each one in particular, to keep the chimneys of their respective houses clean and free from the danger of fire, under the penalty of one pound Flemish for every chimney which shall, 15 days after the publication hereof, be foul and on inspection be judged as such, and he whose chimney shall take fire through carelessness or neglect shall forfeit 50 guilders.

Done in Fort Orange, the 27th of November Anno 1658.

Thus done and renewed in Fort Orange, the 10th of December Anno 1659.

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[1] Revised from *Laws and Ordinances of Fort Orange*, p. 363.

[111] Ordinary Session held in Fort Orange, December 17 Anno 1658

Present:

La Montagne Jan Tomassen Abraham Staets
Françoys Boon Adriaen Gerritsen

Evert Noldingh, plaintiff, against

Default { Teuwes Abrahamsen and Pieter Loockermans } defendants

Goossen Gerritsen, plaintiff, against Abraham Vosborch, defendant.

The plaintiff demands of the defendant the sum of fl.439:3 for beer received, according to the contract made between them.

The defendant produces a counter claim of fl.200, which the plaintiff accepts, so that the defendant still owes fl.239:3, which he admits.

The court, having heard the parties, orders the defendant to pay the plaintiff the remaining sum of fl.239 and three stivers in the space of six weeks.

The wife of Abraham Vosborch, plaintiff, against Annetien Lievens, wife of Goossen Gerritsen, defendant.

The plaintiff demands of the defendant 4½ beavers for decorated crowns,[1] which the defendant borrowed from her and which have not been restored to the plaintiff.

The defendant admits that she borrowed them jointly with Maria Wesselsen, who borrowed them together with the defendant, as they were both bridesmaids, and she therefore maintains that she has to pay only one half.

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[1] *Versierde kroontiens;* meaning some sort of headdress in the shape of a crown, worn by bridesmaids. For a picture of a very ornate silver bridal crown, of 1682, see *De Oude Tijd*, 1869, vol. 1, p. 265. For a description of the use of bridal crowns at Dutch weddings, see also J. le Francq van Berkhey, *Natuurlyke Historie van Holland*, vol. 3, part 2, p. 1121, 1125.

[112] [The court], having heard the parties, orders that the crowns in question shall be paid for by both the bridesmaids, to wit, by Annetie Lievens and Marya Wessels, each one half, by settlement of accounts, or otherwise, within the space of six weeks.

Gysbert van Imborch, plaintiff, against Volckert Janssen, defendant.

The plaintiff demands payment of fl.72 in beavers, on account of Pieter Janssen's servant, as he became surety for so much as the servant owed the defendant, and further attaches all the money which he will earn, up to fl.72.

The defendant says that there must be deducted what is needed for stockings and shoes for the servant.

The court, having heard the parties, orders them to go to the servant's house and to agree as to what is due to the plaintiff from the defendant.

Ester Fonda, plaintiff, against Michiel Teunissen, defendant.

The plaintiff demands of the defendant fl.101:6.

The defendant says that the debt was contracted between him and Femmetie Alberts during their partnership and as Femmetje Albert has taken over the debts, the defendant claims that he does not have to pay the same.

The court, having heard the parties, orders the plaintiff to have Femmetien Alberts and Michiel Teunissen summoned on the next court day, to settle their differences.

Frans Barensen, plaintiff, against
Default Jan van Hoesem, defendant.

Françoys Boon, plaintiff, against
2d default Henderick Bierman, defendant.

[113] Jacob Teunissen, in his capacity of schout by night, plaintiff, against Mattys, the servant of Johannes Withart, defendant.

The plaintiff says that he has taken away a small cask of brandy from an Indian, which the Indian said he obtained at

the house of Johannes Withart, to which house he went immediately to get back his beavers.

The defendant denies that he sold brandy to the Indians and requests proof.

Having heard the parties, the court orders the defendant to purge himself by oath of the charge of having sold brandy to the Indians. The defendant having taken the oath before the court, the plaintiff's complaint against him is dismissed.

[114] The honorable officer, debet, for receipt of the following fines, which were imposed during the year 1658[1]

[1] The rest of the page, which apparently was originally the last page of a separate book of court minutes, is blank.

PART III

Court Minutes of Fort Orange and Beverwyck 1659

[115][1] In the Name of the Lord, Amen

Continuation of the minutes of the court of justice of Fort Orange, the village of Beverwyck and the dependencies thereof, established *in loco* on the 10th of April Anno 1652, by the honorable director general and council of New Netherland

Ordinary Session held in Fort Orange, January 14 Anno 1659

Present:

La Montagne Abraham Staets Adryaen Gerritsen

Françoys Boon, attorney for Dirck Kysser, plaintiff, against Henderick Bierman, defendant.

The plaintiff demands payment of 12 beavers and produces a bond.

The defendant denies the debt and the bond.

The court, having heard the parties and seeing that the defendant refuses to take the oath, orders the said defendant to pay the aforesaid 12 beavers in the month of May next ensuing, without delay.

Pieter Gillissen, against

1st default Henderick Claessen, defendant.

On account of the estate of Jan Bemboo summoned the following:

Henderick Gerritsen

Willem Hoffmeyer

Huybert Janssen

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[1] The following minutes, for 1659, are translated from the original record in the Albany county clerk's office, entitled: *Court Minutes*, 2, 1658–1660 (*Mortgage* No. 1, 1652–1660), p. 115–211.

[116] Jochim Ketluyn, plaintiff, against
Default Henderick Claessen, defendant.

Idem, plaintiff, against Eldert Gerbertsen, defendant.

The plaintiff complains that the defendant called him a thief in the presence of Pieter Bronck and his wife.

The defendant denies that he said so and claims that the plaintiff called him a thief.

Having heard the parties, the court orders them to prove their charges on the next court day.

Claes Ripsen, plaintiff, against Willem Brouwer, defendant.

The plaintiff demands payment of 14 beavers for outside work on the plaintiff's house.

The defendant says that the plaintiff did not finish the work which he undertook to do.

The court orders that the parties shall each choose a carpenter as arbitrator to settle the matter.

Evert Nolden, plaintiff, against
3d default Matteus Abrahamsen and Pieter Loockermans, defendants

[117] Ordinary Session held in Fort Orange, February 18 Anno 1659

Present:

La Montagne	Abraham Staets	Françoys Boon
Jan Tomassen	Pieter Hartgers	Adriaen Gerritsen

Baefien Pietersen, plaintiff, against Evert Nolden, defendant.

The plaintiff says that the defendant engaged her for a year to string seawan and that she has done so for half a year. The plaintiff, therefore, maintains that the defendant is bound to let her string seawan the other half of the year.

The defendant admits that the plaintiff has strung seawan

for him for one half year, but denies that he is bound to keep her for a year and says that he is free to take whom he pleases.

The parties having been heard, the plaintiff is non-suited.

The wife of Pieter Bronck, plaintiff, against Michiel Teunissen, defendant.

The plaintiff demands payment of fl.152.

The defendant admits the debt.

The parties having been heard, the court orders the defendant to pay the plaintiff the fl.152 in the space of eight days.

Jan van Breemen, plaintiff, against Francys Pietersen, defendant.

The plaintiff demands payment of five months' wages at fl.18 per month, amounting to fl.90.

The defendant admits the debt.

The parties having been heard, the court orders the defendant to pay the plaintiff the fl.90 in the space of eight days.

[118] Mattys van Beeren, plaintiff, against Pieter Jacobsen, defendant.

The plaintiff says that the defendant beat him in his house when he called upon him to pay six shillings.

The defendant says that the plaintiff beat him first and would not let him get out and locked the door.

The court, having heard the parties, condemns each to pay a fine of one pound Flemish to the under-schout.

W. Bout, default — Adriaen Janssen from Leyden, plaintiff, against Willem Fredricksz Bout and Willem Teljer } defendants

The plaintiff, being farmer of the burgher and tapsters' excise, complains that the defendant, Willem Bout, has taken 7 ankers of brandy out of the cellar of Willem Teljer, without removal permit or his knowledge.

Willem Teljer admits that he let him take the wine because Willem Bont told him that he would save him, Willem Teljer, from all damages which might result therefrom.

The court, having heard this, orders the officer to have the said seven ankers taken away and to take them into his custody.

Jochim Ketluyn, against
1st default Eldert Gerbertsen, defendant.

Pieter Gillissen, plaintiff, against
2d default Henderick Claessen

Jan Bemboo, plaintiff, against
2d default { Willem Hofmeyer, Henderick Gerritsen } defendants

[119] Ordinary Session held in Fort Orange, March 4 Anno 1659

Present:

La Montagne	Jan Tomassen	Françoys Boon
Abraham Staets	Pieter Hartgers	Adriaen Gerritsen

Pieter Gillissen, plaintiff, against Henderick Claessen, defendant.

The plaintiff demands payment of the sum of fl.70.

The defendant having failed to appear after having been three times summoned, he is by default condemned to pay the plaintiff the sum demanded in the space of eight days, with the costs of the three defaults, amounting to fl.1–16–, under penalty of execution.

Philip Hendericksz, plaintiff, against
1st default Femmetien, the bakeress, defendant.

Marcelus Janssen, plaintiff, against
1st default Foppe Barentsen, defendant.

Pieter Bronck, plaintiff, against
1st default { Abraham Vosborch, Henderick Claessen } defendants

Idem, plaintiff, against Teunis Jacobsen, defendant.

The plaintiff demands payment of fl.221:1:–.

The defendant denies the debt and requests an account.

The parties having been heard, it is ordered that they shall calculate together and appear on the next court about the difference between their accounts.

As Teunis Jacobsen has misbehaved in this service, the court decides that he shall dismissed from the service until further order.

[120] Ordinary Session held in Fort Orange, March 18 Anno 1659

Present:

La Montagne	Jan Tomassen	Françoys Boon
Abraham Staets	Pieter Hartgers	Adriaen Gerritsen

Philip Hendericksen, plaintiff, against Femmetien, the bakeress, defendant.

The plaintiff demands payment of fl.360.

The defendant admits the debt.

The court, having heard the parties, orders the defendant to pay the plaintiff the aforesaid sum of 360 guilders, at the last payment for her house, in which Daniel Rinckhout lives, which is to take place after two years.

Idem, plaintiff, against Jan Teunissen, defendant.

The plaintiff demands payment of fl.290–.

The defendant admits the debt.

The parties having been heard, the defendant is ordered by the court to pay the plaintiff the sum demanded in the space of six weeks.

Marcelus Janssen, plaintiff, against
2d default Foppe Barentsen, defendant.

Rutger Jacobsen, plaintiff, against
Default { Eldert Gerbertsen, Jan van Breemen, Jacob Adriaensen } defendants

The plaintiff gives notice of the attachment of a certain sum in the hands of Eldert Gerbertsen belonging to Jan van Breemen.

[121] Pieter Bronck, plaintiff, against Abraham Vosborgh, defendant.

The plaintiff demands payment of fl.336.

The defendant admits the debt.

The court orders the defendant to pay the plaintiff the sum demanded in the space of two months.

Idem, plaintiff, against Teunis Jacobsen, defendant.

The plaintiff demands payment of a certain sum of money.

The defendant says that they have never adjusted accounts with each other.

The court orders the parties to adjust their accounts and to appear on the next court day about their differences.

Idem, plaintiff, against

Default Jan van Breemen, defendant

Poulus Jurcksen, plaintiff, against

Default Cobus Teunissen, defendant.

Evert Nolden, plaintiff, against

Default Adriaen Janssen from Leyden, defendant.

Idem, plaintiff, against Matteus Abrahamsen, defendant.

The plaintiff demands payment of fl.17:17:–

The defendant admits the debt.

The court orders that the aforesaid sum shall be made payable to Femmetjen, the bakeress, in payment of the rent of the plaintiff's house.

Idem, plaintiff, against

Default Pieter Loockermans, defendant.

[122] Abraham Vosborch, plaintiff, against Rutger Jacobsen and Goossen Gerritsen, formerly in partnership, defendants.

The plaintiff says that he executed a bond in favor of the defendants for 439 guilders and 3 stivers, on which he paid fl.300.

The defendants denie that they received fl.300, but admit that they received fl.200.

The court, having heard their differences, adjourn the case to the next court day for further consideration by the parties.

Jan Bemboo, plaintiff, against Henderick Gerritsen, defendant.

The plaintiff demands of the defendant payment of fl.65.

The defendant having been summoned three times and remained in default, he is ordered by the court to pay the plaintiff the sum of fl.65 demanded, under penalty of execution.

Idem, plaintiff, against Willem Hoffmeyer, defendant.

The plaintiff demands of the defendant payment of fl.9.

The defendant having been summoned three times and remained in default, he is ordered by the court to pay the plaintiff the sum demanded, under penalty of execution.

Nomination of magistrates, being six in number, from which number three are to be chosen:

Rutger Jacobsen	Sander Leendersen	Evert Wendels
Anderies Herbertsen	Volckert Janssen	Jan Verbeeck

[123] Ordinary Session held in Fort Orange, April 1, 1659

Present:

Abraham Staets	Jan Tomassen	Françoys Boon
J. La Montagne	Pieter Hartgers	Adriaen Gerritsen

Default

Lowies Cobussen, plaintiff, against Jan Everraerts, defendant.

Neeltien Cobussen, plaintiff, against Tryn Claes, defendant.

The plaintiff says that the defendant sold her an apron, on which she paid fl.9, and demands that the same be returned by the defendant.

The defendant says that the plaintiff returned the aforesaid apron, claiming that the defendant had sold it to her at too high a price and that the plaintiff did not wish to keep the apron.

The parties having been heard, the court orders the defendant to return fl.6 to the plaintiff, the remaining fl.3 to be retained in compensation for the cancellation of the purchase.

Jan Anderiessen de Graef, plaintiff, against Barent Albertsen, defendant.

The plaintiff demands payment of 34 boards.

The defendant says that he does not owe more than 24 boards.

The court orders the defendant to pay the plaintiff 30 boards in the space of eight days.

Idem, plaintiff, against Teuwes Abrahamsen, defendant.

The plaintiff demands payment for 8000 brick, for which he must have 105 boards.

The defendant admits the debt.

The court orders the defendant to pay the plaintiff the 105 boards in the space of eight days.

[124] Marcelus Janssen, plaintiff, against and having attached the property of Foppe Barentsen, defendant.

The plaintiff demands payment of a tavern debt of fl.13:2.

The defendant denies the debt.

The court orders the defendant to pay the plaintiff fl.13:2. As the plaintiff takes the oath, the attachment of Evert Nolden is vacated.

Extraordinary Session held in Fort Orange, April 5, 1659

Present:

J. La Montagne	Pieter Hartgers	Adriaen Gerritsen
Jan Tomassen	Françoys Boon	

[1] Cornelis Woutersen, plaintiff and party attaching (*arrestant*), against Madam Johanna de Laet, wife of Mr Jeronimus Ebbingh, defendant.

The plaintiff demands payment of fl.275, for making the bridge in the Esopus, for which the defendant promised to pay, as he offers to prove by Geurt Hendericksz and Jan Barentsen, whose testimony he produces.

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[1] Revised from *Doc. rel. to Col. Hist. N. Y.*, 13:98.

Philip Pieterse Schuyler, as attorney for the defendant, requests that the case be adjourned until the defendant and her husband again come up the river.

The court, having heard the witnesses and read their testimony, from which it appears that the defendant made a verbal agreement with the plaintiff about the bridge, but not knowing whether afterwards another contract was made between the parties, consents to adjourn the case until the defendant or her husband shall next come up here, without prejudice to the rights and claims of either party.

[125] Ordinary Session held in Fort Orange, April 7 Anno 1659

Present:

J. La Montagne	Pieter Hartgers	Françoys Boon
Jan Tomassen	Abraham Staets	Adriaen Gerritsen

Jacob Steendam, plaintiff, against Maria Dyckmans, defendant.

The plaintiff demands payment of a bill of exchange which was signed by the defendant's husband and which has come back protested, arising from some vendue, the proceeds whereof were kept by the defendant's husband.

The defendant says that she can not denie it, as she saw her husband's signature.

Having heard the parties and examined the bill of exchange with the protest thereof, the court condemns the defendant to pay the plaintiff the aforesaid bill of exchange with the charges thereon after liquidation by two referees to be chosen by the parties respectively.

Rutger Jacobsen, plaintiff, against Jan van Breemen, defendant.

The plaintiff says that judgment was given last year against the defendant to pay the plaintiff a certain sum of money, for

which the plaintiff demands a mortgage on the defendant's house.

The defendant grants the plaintiff's request.

The court *fiat.*

1st default Jan Harmsen, plaintiff, against
Sander Leendersen, defendant.
Tomas Loduwycksz, plaintiff, against
1st default Symon Groot, defendant.

[126] Jan Tomassen and Volckert Janssen, plaintiffs, against Jurriaen Teunissen, defendant.

The plaintiff demands payment of fl.660 for beer delivered.

The defendant says that he said that he was willing to pay after Easter.

The parties having been heard, the court orders the defendant to pay the plaintiff the fl.660 demanded in the space of six weeks.

Pieter Bronck, plaintiff, against Jan van Breemen, defendant.

The plaintiff demands payment of the sum of fl.183:3 and in addition fl.50 for beer delivered.

The defendant requests an account from the plaintiff.

The court orders the parties to adjust their accounts and to appear on the next court day about the difference between them.

Claes Teunissen is granted a lot on the plain, to the west Carsten the Noorman, in length 6 rods; to the north a road, in width 3 rods; to the east a vacant lot, in length 6 rods; to the south the plain, 3 rods. Also a part of a lot for a garden, to the south Barent Albertsen, in length 7 rods, 10 feet; to the west, Jeremias van Rencelaer, in breadth 3 rods, 10 feet; to the north Jan Roelofsen, in length 7 rods 10 feet; to the east a road, in breadth 3 rods, 10 feet.

Evert Wendel is upon his petition granted permission to use for his convenience the small piece of land which he has, until necessity shall require him to do without it.

[127] Ordinary Session held in Fort Orange, April 22, 1659

Present:

J. La Montagne	Abraham Staets	Pieter Hartgers
Jan Tomassen	Françoys Boon	Adriaen Gerritsen

Goossen Gerritsen and Rutger Jacobsen, plaintiffs, against Abraham Vosborgh, defendant.

The plaintiff demands payment of fl.100, the case having been adjourned to this day to have the parties declare under oath whether the plaintiff had received the money and whether the defendant had paid it.

The court having required the parties to take the oath, the defendant and his wife have sworn that they paid and satisfied the aforesaid fl.100 to the plaintiff. Accordingly, the plaintiff's suit is dismissed by the court.

Pieter Bronck, plaintiff, against Henderick Claessen, defendant.

The plaintiff demands payment of fl.170 in seawan and 12 beavers.

The defendant admits the debt.

The court, *fiat*, orders payment in six weeks.

Idem, plaintiff, against

1st default Jan van Breemen, defendant.

Frans Barensen Pastoor, plaintiff, against

1st default Jan van Breemen, defendant.

Volckert Janssen and Pieter Gillissen, plaintiffs, against

1st default Jan van Breemen, defendant.

Rutger Jacobsen, plaintiff, against Henderick Claessen, defendant.

The plaintiff demands payment of fl.116 for beer delivered.

The defendant admits the debt.

The court, *fiat*, orders the defendant to pay the plaintiff the sum demanded in six weeks.

[128] Rutger Jacobsen, plaintiff, against Jacob Adriaensen, defendant.

The plaintiff demands payment of fl.67.

The defendant admits the debt.

The court orders the defendant to pay the plaintiff the aforesaid sum of fl.67 in the space of six weeks.

Ida Claessen, plaintiff, against

Default Gerrit Visbeeck, defendant.

Pieter Bronck and Harmen Bastiaensen request permission to build a saw mill on the Beaver kill. Their request is granted by the court, on condition that Abraham Vosborch shall have the first choice of location, as he was the first applicant.

[129] Ordinary Session held in Fort Orange, May 13 Anno 1659

Present:

La Montagne	Pieter Hartgers
Jan Tomassen	Adriaen Gerritsen

Frans Barentsen Pastoor, plaintiff, against Jan van Breemen, defendant.

The plaintiff demands payment of fl.75.

The defendant denies the debt, because it was stipulated that one half of the purchase price was to be paid in beavers and the plaintiff was calculating in seawan.

The court puts over the matter until the next court day for further proof by the parties.

Jacob Teunissen, plaintiff, against

Default Henderick, the cowherd, defendant.

Tomas Pouwel,[1] plaintiff, against

Default { Cornelis Vosch / Jochem Wesselsen } defendants

[1] Thomas Powell; see *Early Records of Albany*, 3:246–47.

The honorable officer Johannes Lamontagne, plaintiff, against Evert Nolden, defendant.

The plaintiff says that the defendant the of this month at his place drew his knife [130] on Pieter Janssen and thereafter his cutlas, in violation of the ordinance of the High and Mighty Lords the States General and the honorable director general and council of New Netherland published here several times. He therefore demands that the defendant in accordance with the said ordinance be condemned to pay a fine of 200 guilders and the costs of the trial.

The defendant acknowledges his guilt, but claims that Pieter Janssen gave him cause for it by calling him an old dog and saying further: "Old dog, if I once get you outside, I shall give it to you good and plenty."

The parties having been heard, the court orders the defendant to prove on the next court day that Pieter Janssen gave him cause therefor.

[131] Extraordinary Session held in Fort Orange, May 1 Anno 1659

In the place of the retiring magistrates, Abraham Staets and Jan Tomassen, ordinary magistrates, and Adriaen Gerritsen, extraordinary magistrate, according to the extract from the resolutions of the honorable director general and council of New Netherland, there have been chosen and confirmed from the double number nominated Anderies Herbertsen and Sander Leendersen ordinary magistrates and Jan Verbeeck extraordinary magistrate, who, being summoned by the court, have taken the following oath of fidelity before the commissary:

We, the undersigned, as chosen magistrates of the court of justice of Fort Orange and the village of Beverwyck, promise and swear in the presence of God Almighty and our fellow members, that we shall help administer true law and justice between man and man and furthermore that in all matters relating

to the administration of justice and government we shall cause to be carried out [all orders] and promote [the public welfare] to the best of our knowledge and ability, and furthermore in every respect conduct ourselves loyally and faithfully toward the Lords States General of the United Netherlands, the lords directors of the Chartered West India Company and [132] the honorable director general and council of New Netherland, with the further promise that we shall help maintain here the Reformed religion according to the Word of God and the regulations of the Synod of Dordrecht and tolerate no other sects. So truly help us God Almighty.

After being congratulated, the aforesaid Anderies Herbertsen, Sander Leendersen and Jan Verbeeck have this day taken their seats.

The retiring magistrates are released from their oath and thanked for their faithful services and performance of their duty, with the promise that with regard to their honorarium of fl.150 a year, they will at the first opportunity when the treasury is well provided receive consideration and be paid together with the present and future magistrates.

After deliberation, it is agreed upon and decided that the annually retiring magistrates shall for the period of one year after their discharge be exempt from the ordinary burgher watch, but nevertheless, being ordered to do so in case of need, be obliged to perform all extraordinary rounds and guard duty like other citizens, according to the resolution passed and ratified by the honorable director general and council of New Netherland.

[133] Ordinary Session held in Fort Orange, May 27 Anno 1659

Jan van Eeckelen, plaintiff, against Pieter Loockerman, defendant.

The plaintiff produces an account for bread received by the defendant, amounting to the sum of fl.77:8.

The defendant denies the debt.

The plaintiff confirms his account by oath. Therefore, the honorable court orders the defendant to pay the plaintiff the above mentioned sum in the space of six weeks, under penalty of execution.

Pieter Bronck, plaintiff, against Jan van Breemen, defendant.

The plaintiff demands of the defendant payment of the sum of fl.234 for beer and other articles.

The defendant desires to have a correct account from the plaintiff.

The court having heard the parties without examination of accounts, refers them to the judgment of the 7th of April 1659.

Pieter Bronck, plaintiff, against Theunis Jacobsen, defendant.

Pieter Bronck, plaintiff, demands of the defendant the sum of fl.221:1, arising from beer received, tavern expenses, etc.

[134] The defendant produces an account of fl.250:18 for hops, etc. delivered to the plaintiff, of which the plaintiff denies the receipt of two parcels.

The court, having heard the parties, orders the defendant to prove it on the next court day.

Frans Barentsen, plaintiff, against Jan van Breemen, defendant.

The plaintiff demands of the defendant execution of the judgment of January 23 Anno 1657, regarding the payment of the sum of fl.73:5.

The honorable court, having heard the parties, order the defendant to execute the judgment pronounced by the honorable commissary and magistrates on the date above written.

Jan Harmensen, plaintiff, against Jan van Eeckelen, defendant.

The plaintiff, having had some money of Albert Gerritsen in the hands of Jan van Eeckelen attached, by balance of an account of fl.124, with costs, requests that said attachment may be declared valid and that he may receive his money from Jan van Eeckelen, from whom the other creditors received their pay.

The honorable court, having heard the parties, order that the plaintiff shall share in proportion to other creditors in what may still be paid.

[135] Seger Cornelissen, plaintiff, against Claes Mille.

The plaintiff demands of the defendant the sum of fl.270 in seawan.

The defendant admits the debt.

The honorable court, having heard the parties, orders the defendant to pay the sum demanded, to wit, fl.160 in the space of six weeks and the remainder in the autumn of the year 1659, according to the defendant's own promise and the shaking of hands, under penalty of execution.

Mr Johannes La Montagne, officer, plaintiff, against Evert Nolden, defendant.

The plaintiff complains for the second time about the defendant on account of his crime committed in drawing his knife and cutlas on Pieter Lambertsen, according to the affidavit and also according to his own confession, and asks the same fine which he, the plaintiff, proposed on the preceding court day, namely, fl.200.

The honorable court, having heard the parties, order that the trial of this case shall take place on the next court day.

Idem, plaintiff, against Jan van Breemen.

The honorable officer says that Jan van Breemen, the defendant, yesterday, being the 26th of May, in the presence of many people before this fort Orange [136] attacked Frans Pietersen and slashed his hat with a knife, which cut was aimed at his face and was warded off by the said Frans's arm. In accordance with the ordinance of the High and Mighty Lords the States General the honorable officer requests that the defendant shall pay a fine of fl.100 and in addition pay for the damage done to Frans Pietersen's hat and clothes, before the defendant be released from custody.

The honorable court adjourns the case to the next court day.

Jan Meyndersen requests of the honorable court a lot, whereupon the court refers him to the surveyor who is to see where a suitable place may be obtained or found for him.

[137] Extraordinary Session held in Fort Orange, June 7 Anno 1659

Jacob Tyssen, Cornelis Teunissen Bosch, Leendert Philipsen and Claes Jacobsen present to the honorable court a petition in the name of others who have also signed the petition, praying that they may be permitted to do their best in regard to the question of trade to promote the interests of their households.

The honorable court having examined the petition and carefully considered the matter and having taken everything into consideration, the petitioners are granted permission to employ Indian brokers and to send them into the woods without any presents, and this provisionally until further order, with this special injunction that no Dutch brokers shall be employed thereto, according to the ordinance made and published on the last of May of this year, 1659.

[138] Ordinary Session held in Fort Orange, June 10 Anno 1659

Volckert Janssen, plaintiff, against Jan Martensen, defendant.

The plaintiff demands payment of the sum of fl.139 in seawan, for beer furnished.

The defendant admits the debt.

The court, having heard the parties on both sides, orders the defendant, after an account shall have been rendered, to pay the plaintiff the sum of fl.139 demanded in seawan promptly in the space of one month, under penalty of execution.

Jan Harmsen, plaintiff, against Roeloff Swartwout, defendant.

The plaintiff demands payment from the defendant of the sum of fl.68 in seawan, for beer received by the defendant.

The defendant admits the debt.

The court, having heard the parties on both sides, orders the defendant to pay the plaintiff the sum of fl.68 demanded in seawan promptly in the space of one month, under penalty of execution.

Jan Harmsen, plaintiff, against Fredrick Harmsen, defendant.

The plaintiff demands of the defendant payment of half a mudde of wheat for money loaned to the defendant.

The defendant admits the debt.

The court, having heard the parties on both sides, orders the defendant to pay the plaintiff fl.8 in seawan for the half mudde of wheat, in the space of 8 days.

[139] Roeloff Swartwout, plaintiff, against Henderick Martensen, defendant.

The plaintiff demands of the defendant the sum of fl.93:5, arising from beer and brandy received by the defendant.

The defendant admits the debt and claims that he paid something on it.

The court, having heard the parties on both sides, orders the defendant to pay the plaintiff the sum of fl.60 in seawan, promptly in the space of one month, under penalty of execution, and to settle with the plaintiff about the balance.

Philip Hendericksen, plaintiff, against Arent vanden Bergh, defendant.

The plaintiff demands of the defendant the sum of fl.116 in seawan, for beer furnished.

The defendant acknowledges the debt and demands an account.

The court, having heard the parties on both sides, orders the defendant, after an account has been rendered, to pay the plaintiff the sum demanded in seawan in the space of one month, under penalty of execution.

The honorable officer, plaintiff, against Evert Nolden, defendant.

The plaintiff demands of the defendant fl.200 on account of fines, according to the plaintiff's demand of May 13, 1659.

The defendant admits the crime as before and says that he had reason for it.

The court, having heard the parties on both sides, orders the defendant to produce evidence in his defense on the next court day.

[140] The Hon. Lamontagne, officer, plaintiff, against Philip Pietersen, defendant.

The plaintiff says that on the third of this month he was in the woods and there found an Indian who had a new coat. He asked him through the interpreter from whom he had received that coat, whereupon the Indian replied: "From Philip Pietersz."

The Hon. La Montagne, officer, plaintiff, against Philip Pietersen Schuyler, defendant.

The plaintiff says that on the third of this month he was in the woods and there found an Indian who had a new coat. He asked him through the interpreter from whom he had received that coat, whereupon the Indian replied: "From Philip Pietersen, and in order that he would bring five Indians with beavers out of the woods." Having meanwhile detained the Indian and talked with him, the aforesaid five Indians joined them and went with him to the house of Philip Pietersz, whereupon the plaintiff and his accompanying helpers followed them into the house of the defendant. The plaintiff having asked the defendant whether he gave the Indian the coat, he answered Yes, whereupon the plaintiff fined the defendant in the presence of Mr Bedlo. He concludes that the said Philip Pietersen, contrary to the ordinance, has sent a broker into the woods and demands that on this account he be condemned to pay a fine of 300 guilders and be suspended from trading for the period of one year.

[141] The defendant denies that he sent the aforesaid Indian into the woods as a broker, saying that the Indian without solicitation went into the woods. He admits that the Indian received a coat from him, but not for that purpose. He also says that he gave a present to the Indians and if he did wrong in that, he says that not a single beaver is bartered in the Fuyck but it is done contrary to the ordinance.

The officer demands that the defendant purge himself of his offense by oath.

The defendant refuses to take the oath.

[142] Extraordinary Session held in Fort Orange, June 13 Anno 1659

The Hon. Officer, plaintiff, against Rutger Jacobsen, defendant.

The plaintiff says that Rutger Jacobsen has complained to him that Dutchmen have been in the woods to fetch Indians.

The defendant says that he will prove it by others and that it is claimed that one of Cornelis Teunissen Bosch's men is walking in the woods, namely, Jacob Teunisz, and the servant of Marcelis Janssen.

The honorable officer, plaintiff, against Jacob Teunissen, defendant.

The plaintiff says that the defendant, Jacob Teunissen, is charged with walking in the woods for Cornelis Teunissen Bosch in order to attract the Indians with beavers.

The defendant denies the charge. He says that he did not do so, but that he was in the woods on his own account to catch an Indian who owed him a beaver. He also say that Harmen Vedder, Storm Albertsen, Teunis Slingerlant and Roeloff Swartwout were in the woods, as well as Cornelis Fynhout, the servant of Marcelus Janssen.

Idem, plaintiff, against Cornelis Fynhout, defendant.

The plaintiff says that the defendant is charged with having been in the woods to fetch Indians.

The defendant denies the charge, saying that he was in the woods, not for that purpose, but perchance to catch the horses of Arent, the Norman.

[143] Jacob Teunissen being asked by the officer whether he and the servant of Marcelus Janssen had not entered into an agreement as to the number of Indians which each was to have, answers that the brokers said that they would each have two Indians.

The court adjourns the case to the next court day.

[144] Ordinary Session held in Fort Orange, July 1 Anno 1659

Cornelis Woutersen, plaintiff, against Juffrouw Ebbings, defendant.

The plaintiff demands of the defendant a certain balance of account, amounting to fl.100, for wheat, and also a certain number of beavers, all of which the plaintiff asks to have in beavers, because he has waited long after the amount was due.

The defendant admits the debt and asks extension of time.

The court, having heard the parties on both sides, condemns the defendant to pay the plaintiff the first penny and the last according to their written agreement and specifications in the space of eight days, on pain of execution.

Reynier Elbertsen, plaintiff, against Jochim Ketteluyn, defendant.

The plaintiff demands of the defendant 4½ beavers and fl.12 – 12 stivers in seawan, which he has caused to be attached in the hands of Cornelis Schoester.

The defendant admits the debt and promises to pay the same.

The parties having been heard, the defendant is ordered to pay the plaintiff the sum demanded in the space of eight days, or thereabout.

Mr Assar Levy, plaintiff, against

Default { Jan Roeloffsen and / Jacob Loockermans } defendants

The plaintiff demands of the defendants, according to their bond, eleven beavers, which they, the defendants, as partners received together in goods and claims that each as principal is liable for the payment of the whole amount.

[145] The defendant admits that he owes 5 beavers as his share, but no more, and asks for sufficient time, according to burgher right.

The honorable court, having heard the parties on both sides, order the defendant to pay the plaintiff the 5 beavers in the space of three weeks, the plaintiff reserving his action against Jacob Loockermans as to his share.

Anderies Herbertsen, as attorney of Aert Pietersen, plaintiff, against Jochim Kettelheyn, defendant.

The plaintiff demands of the defendant 43 whole beavers.

The defendant admits the debt and says that he will pay the man.

The plaintiff, replying, demands that the defendant give security before he leaves, as Aert Pietersen intends with God's help to depart for the fatherland and will then know where he can get his money.

The court, having heard parties on both sides, orders the defendant to pay the plaintiff the sum demanded in the space of 14 days, on pain of execution, his house standing here in the village of Beverwyck to be bound as security.

Stoffel Janssen, plaintiff, against Jacob Loockermans, defendant.

The plaintiff demands of the defendant 11½ beavers, arising from goods furnished.

The wife of the defendant appearing, admits the debt and says that he has no beavers, but is willing to pay in other merchandise, namely, in boards.

[146] The honorable court, having heard the parties on both sides, orders the defendant to pay the plaintiff the aforesaid number of beavers, or the equivalent in seawan, at the market price, in the space of 14 days, on pain of execution.

Jan Roeloffsen, plaintiff, against Jacob Loockermans, defendant.

The plaintiff demands of the defendant 20 beavers and fl.57 in seawan, on which fl.81 in seawan is paid.

The defendant denies the debt, but says that he has a letter from Govert Loockermans, forbidding them to hold back any beavers, and requests liquidation of accounts until the return of Govert Loockermans.

The court, having heard the parties on both sides, orders: *fiat.*

Mr Assar Levy, plaintiff, against Jacob Teunissen, defendant.

The plaintiff demands of the defendant 30½ beavers, according to his bond, arising from goods received.

The defendant admits the debt and offers to pay now and then something.

The court, having heard the parties on both sides, order the defendant to pay the plaintiff the aforesaid number of beavers in the space of six weeks, on pain of execution.

Mr Jan Bastiaensen, plaintiff, against Evert Nolden, defendant.

The plaintiff demands of the defendant one hundred and sixty-two and a half beavers, according to a bond which he produces.

[147] The defendant admits the debt.

The court, having heard the parties on both sides, orders the defendant to pay the plaintiff the aforesaid 162½ beavers in in the space of six weeks, on pain of execution.

Symon Turck, plaintiff, against Rem Janssen, smith, defendant.

The plaintiff demands of the defendant the sum of fl.66, arising (from money due to) Pieter Cornelissen, deceased.

The defendant denies the debt, saying that he paid it.

The court, having heard the parties, grants the defendant time until the next court day to consider the matter and to declare under oath that he paid.

Idem, plaintiff, against Sander Leendersen, defendant.

The plaintiff demands of the defendant fl.95:14 on account of P. Cornelissen, deceased.

The defendant denies the debt and says that there is still money due him from Pieter Cornelissen, deceased.

The court, having heard the parties on both sides, orders them to calculate with each other.

Mr Jeremias van Rencelaer, plaintiff, against Pieter Bronck, defendant.

The plaintiff demands of the defendant fl. 1895:16:8 in beavers, according to his bond, arising from goods received by the defendant.

The defendant admits the debt.

The court, having heard the parties on both sides, orders the

defendant to pay the plaintiff the fl.1895:16:8 demanded within the space of six weeks, on pain of execution.

[148] Willem Janssen Schutt, plaintiff, against Jacob Loockermans, defendant.

The plaintiff demands of the defendant payment of nine beavers for a certain lot on which the defendant's house stands.

The defendant admits the debt.

The court, having heard the parties on both sides, orders the defendant to pay the plaintiff the aforesaid number of nine beavers in the space of six weeks.

Hans Carelsen, plaintiff, against Pieter Claerbout, defendant.

The plaintiff demands of the defendant for freight five beavers, as per agreement.

The defendant says that he misses two chairs and a lantern which blew over board during the night and first demands restitution thereof.

The court, having heard the parties on both sides, orders the defendant to pay the plaintiff two beavers in the space of 14 days.

Dirckjen Martensen, plaintiff, against Jan Everraerts, defendant.

The plaintiff produces an affidavit showing that she has occasion to feel aggrieved and requests that the defendant shall either prove or deny the statements.

The defendant requests time until the next court day to prove the statements.

The honorable court, *fiat*.

[149] Ordinary Session held in Fort Orange, July 8 Anno 1659

Present:

J. La Montagne — Dirck Janssen Croon
Pieter Hartgers — Anderies Herbertsen
Françoys Boon — Sander Leendersen
Jan Verbeeck

Juffrouw Ebbinghs,[1] plaintiff, against Pieter Janssen Loockermans, defendant.

The plaintiff demands of the defendant payment of fl.54 in beavers.

The defendant admits the debt.

The honorable court, having heard the parties on both sides, orders the defendant to pay the plaintiff the sum of fl.54 demanded in beavers in the space of eight days.

Idem, plaintiff, against Daniel Rinckhout, defendant.

The plaintiff demands of the defendant payment of 39½ beavers, arising from wheat delivered.

The defendant admits the debt.

The honorable court, having heard the parties on both sides, order the defendant to pay the plaintiff the sum demanded in the space of eight days, on pain of execution.

Gyllis Pietersen, plaintiff, against Juffrouw Ebbings, defendant.

The plaintiff demands of the defendant payment of certain moneys in beavers arising from house rent.

The defendant admits the debt, but says that she is willing to pay in beavers if the defendant first pays her the seawan.

The court, having heard the parties on both sides, orders each party to choose a referee.

[150] Monsr. Johannes Withart, plaintiff, against Symon Groot, defendant.

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[1] Johanna de Laet, the wife of Jeronimus Ebbingh. Her first husband was Johan de Hulter.

The plaintiff demands of the defendant the sum of fl. 562 in beavers.

The defendant admits the debt, but says that he bought the goods on the condition that if he could not dispose of them in barter, he could return them.

The honorable court, having heard the parties on both sides, examined the obligation, and taken everything into consideration, condem the defendant to pay the sum demanded to the plaintiff within the space of six weeks, on pain of execution.

Idem, plaintiff, against Jacob Loockermans, defendant.

The plaintiff demands of the defendant payment of the sum of fl.439:4:– , in beavers.

The defendant admits the debt.

The honorable court, having heard parties on both sides, order the defendant to pay the plaintiff the sum demanded within the space of six weeks, on pain of execution.

Harmen Vedder, plaintiff and *arrestant*, against Pieter Bronck, defendant. Default.

The plaintiff gives notice of the attachment of property in the hands of Master Gysbert,[1] on account of rent of the defendant's house.

Jacob Hendericksen, plaintiff, against Jacob Adriaensen, defendant.

The plaintiff demands of the defendant payment of fl.33 in seawan, which he caused to be attached lately.

The court, having heard the parties on both sides, declare the attachment valid and order the defendant to pay the plaintiff the sum demanded within the space of six days.

[151] Mr Thomas Poulussen, plaintiff and *arrestant*, against Cateleyn Samsons,[2] defendant.

The plaintiff demands of the defendant payment of fl.230, which he caused to be attached in the hands of Lambert van

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[1] Surgeon Gysbert van Imborch.

[2] The wife of Harmen Thomasz Hun; see *Early Records of Albany*, 3:69.

Neck, and asks that he may be paid on the same basis as other creditors.

The honorable court declares the attachment valid.

Philip Hendericksen, plaintiff, against Mr Diederick van Hamel, defendant.[1]

The plaintiff demands of the defendant payment of fl.160:15, in seawan.

The defendant admits the debt.

The honorable court, having heard the parties on both sides, order the defendant to pay the plaintiff the sum demanded toward the end of this month of July. The attachment against the moneys shall stand until the payment is made, unless the defendant as security deposit some goods with the court.

Roeloff Swartwout, plaintiff, against Monsr. Boon,[2] defendant.

The plaintiff asks the court for an order upon the petition presented by him and a copy of the obligation, as he makes a plea in abatement of the action and contests the obligation which Monsr. Boon has, saying that it contains exceptions.

The defendant says that according to the obligation he is to recover his money from no one but the plaintiff.

The honorable court, having heard the parties on both sides, order the plaintiff and petitioner according to the previous judgment to tender and pay the rest of the amount within the space of six weeks, on pain of execution.

[152] Daniel Rinckhout, plaintiff, against Jacob Adriaensen, defendant.

The plaintiff demands of the defendant payment of ten schepels of wheat.

The defendant admits the debt.

The honorable court, having heard the parties on both sides, order the defendant to pay the plaintiff fl.30 for the wheat, in seawan, within eight days.

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[1] Dirck van Hamel was secretary of the colony of Rensselaerswyck from October 1655 until his death on July 2, 1660.

[2] François Boon, a son of the rector of the Latin school at Nykerck.

Pieter Winnen, plaintiff, against Pieter Janssen Loockermans, defendant.

The plaintiff demands of the defendant satisfaction of the previous judgment. The court: *fiat.*

Sr. Asser Levy, plaintiff, against Jacob Loockermans, defendant.

The plaintiff demands of the defendant 5½ beavers according to obligation.

The defendant admits the debt.

The court, having heard the parties, orders the defendant to pay the plaintiff the sum demanded within the space of 14 days, on pain of execution.

Cobus Janssen, plaintiff, against Jacob Adriaensen, defendant.

The plaintiff demands of the defendant the sum of fl.10, in beavers.

The defendant denies the debt, saying that his wife paid it.

The honorable court orders the defendant to pay the plaintiff the sum demanded within the space of 14 days.

Sr. Daniel Verveelen, plaintiff, against Mattheus Abrahamsen, defendant.

The plaintiff demands of the defendant two beavers.

The defendant admits the debt.

The honorable court, having heard the parties on both sides, orders the defendant to pay the plaintiff the two beavers demanded within the space of 14 days.

[153] Sr. Daniel Verveelen, plaintiff, against Jan van Hoesem, defendant.

The plaintiff demands of the defendant fl.81 in beavers.

The defendant admits the debt.

The court, having heard the parties on both sides, order the defendant to pay the plaintiff the sum demanded within the space of one month.

Idem, plaintiff, against Jacob Adriaensen, defendant.

The plaintiff demands of the defendant payment of fl.72 in beavers, or 70 schepels of oats.

The defendant admits the debt, but not otherwise than in seawan or oats.

The honorable court orders the defendant to produce proof of the matter on the next court day.

Interrogatories whereupon [certain persons] are to be asked by the court whether they did not hear the scandalous blasphemies which Cornelis Teunissen Bosch uttered against the commissary and the magistrates.

1 First, whether Cornelis Teunissen Bosch did not say that he would go into the woods and let every one see it and, with permission, that he wiped his .... on the ordinance and other nasty and contemptuous words?

1 Rutger Jacobsen answers that he heard it, provided that Cornelis Teunissen Bosch said that if Philip Pietersen and Pieter Hartgers, who were caught, were not punished first, that he wiped his .... on the ordinance.

And Jacob Schermerhoorn answers as above.

[154] Secondly, whether he did not say that the magistrates were a lot of perjurers and that he did not care a thing about the magistrates?

Answers to this that he heard Cornelis Teunissen Bosch say, also on the condition above stated: "I do not care a thing about the magistrates and shall go into the woods and let them see it, and they are a lot of perjurers if they do not punish those."

Schermerhoorn answers as written above.

As to the first article, Gerrit Slechtenhorst answers that he heard something or other, but did not pay attention to the exact words.

As to the second article, Gerrit Slechtenhorst answers that he

heard Cornelis Teunissen Bosch say that they should first punish those who were caught.

The court having asked Gerrit Slechtenhorst whether he did not see Cobus Looper and Leendert, the taylor's servant, come out of the woods with Indians having beavers with them, says that he saw them coming down the hill or above his house, out of the woods, having Indians with them.

Aernout Cornelissen and Hans Hendericksz answer the same, namely, that they saw the same persons coming down the hill, having Indians with beavers with them.

[155] The honorable officer Johannes La Montagne, plaintiff, against Cornelis Teunissen Bosch, defendant.

The plaintiff says and complains that the defendant defamed the honorable court.

The defendant says that he is not guilty.

The honorable court orders that copies shall be delivered to the parties, to make answer thereto on the next court day.

Idem, plaintiff, against Pieter Erasmus, defendant.

The plaintiff says and complains that Pieter Erasmus contrary to the ordinance has been in the woods and came down the hill with Indians.

The defendant denies it and says that he has not been there.

The plaintiff demands that the defendant shall under oath purge himself of the charge, namely, that he persuaded the Indians to go to his master's house.

The honorable court orders the defendant to think the matter over until the next court day.

Idem, plaintiff, against Philip Pietersen, defendant.

The plaintiff requests judgment against the defendant who contrary to the ordinance sent Indians into the woods and gave them presents. [156] Therefore, that Philip Pietersen shall purge himself under oath, or else be fined according to the ordinance.

The defendant refuses to take the oath and says that he is not guilty thereof.

The honorable court orders the parties to think the matter over until the next court day.

Idem, plaintiff, against Pieter Hartgers, defendant.

The plaintiff says that Pieter Hartgers, according to his own confession contrary to the ordinance has sent Indian brokers into the woods. He requests therefore that the defendant be fined according to the ordinance.

The defendant admits that he sent Indians as brokers into the woods and that he was permitted to do so, because the ordinance according to his opinion should have been repealed in the same way as last year.

The honorable court will take the matter under advisement.

[157] Ordinary Session held in Fort Orange July 15 Anno 1659

Present:

La Montagne	Pieter Hartgers
Françoys Boon	Anderies Herbertsen
Sander Leendersen	Dirck Janssen Croon

Jan Verbeeck

Lidia van Dyck, plaintiff, against Jan van Eeckelen, defendant.

The plaintiff demands of the defendant 32½ beavers and produces an obligation.

The defendant admits the debt.

The honorable court, having heard the parties on both sides, orders the defendant to pay the plaintiff the 32½ beavers demanded within the space of 14 days, on pain of execution.

Pieter Gillissen, plaintiff, against Arent Janssen, carpenter, defendant.

The plaintiff demands of the defendant 9½ beavers for nails bought by him.

The defendant admits the debt.

The honorable court, having heard the parties on both sides, orders the defendant to pay the plaintiff the sum demanded within the space of 14 days.

Mr. van Vleck,[1] plaintiff, against Anderies Herbertsen, defendant.

The plaintiff claims damages for the loss of a hogshead of vinegar, which the defendant's servant carted from the yacht [158] and which in unloading the cart fell to pieces, and asks 10 beavers for it.

The defendant says that the plaintiff ought to have secured another man, as it was not a one-man job.

The parties on both sides having been heard, the matter is referred to referees to be chosen by them respectively.

Henderick Marcelus, plaintiff, against Evert Nolden, defendant.

The plaintiff demands of the defendant fl.18 for wages as watchman and claims that inasmuch as he was engaged by the year he is entitled to the full amount.

The court orders that the defendant shall receive no more than he has earned.

Jan Barentsen, plaintiff, against Adriaen Symonsen, defendant.

The plaintiff demands of the defendant 15 beavers which the defendant took with him to Holland to deliver to the plaintiff's wife, but which she has not received.

The defendant says that the beavers were confiscated among his own beavers and produces a certificate of the honorable fiscal for a parcel of 12 beavers.

The honorable court, having heard the parties on both sides, orders the defendant to pay the plaintiff the 12 beavers and to claim restitution from the honorable company or the fiscal. As to the remaining three beavers, the plaintiff is to show evidence that they were there.

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[1] Tielman van Vleck, a notary public at New Amsterdam.

[159] Madam Ebbinghs, plaintiff, against Jacob Tyssen, defendant.

The plaintiff demands of the defendant payment of 4 beavers, being the amount still due on a judgment given last year.

The honorable court refer to the previous judgment and order the amount to be paid in eight days.

Jan Bastiaensen, plaintiff, against Pieter Bronck, defendant.

The plaintiff demands of the defendant payment of 36 beavers, for which he produces a bond.

The defendant admits the debt.

The honorable court, having heard the parties on both sides, orders the defendant to pay the plaintiff the sum of 36 beavers in the space of 15 days.

Daniel Rinckhout, plaintiff, against Pieter Jacobsen Bosboom, defendant.

The plaintiff demands of the defendant the sum of about fl.150 in seawan, for bread delivered.

The defendant says that his partner is at the Manhatans and that the papers are in his custody. He requests a delay of three weeks to go over the accounts.

The honorable court orders: *fiat.*

Evert Pels, plaintiff, against Jan Martensen, defendant.

The plaintiff demands of the defendant 20 beavers by balance of accounts, arising from the purchase of 5 aams of brandy.

[160] The defendant denies having received 5 aams, but admits having received 4, for which 5 beavers are still due to the plaintiff.

The honorable court, having heard the parties on both sides, orders the defendant to pay the plaintiff the 5 beavers which he acknowledges being due. As to the remaining 15 beavers claimed by the plaintiff, the plaintiff is to swear to his book and if he refuses the defendant is to do the same on the next court day.

Symon Janssen, plaintiff, against Jan van Eeckelen, defendant.

The plaintiff says that the defendant has in his custody some

silverware belonging to Christoffel Davids. The plaintiff, therefore, requests that he may have part of this as security, as he has a note from the aforesaid Christoffel Davids.

The defendant says that the aforesaid silverware was given to him by Christoffel Davids as security for a debt, so that he has a prior claim to it.

The honorable court orders that the defendant shall prove that the aforesaid silverware was given to him as security for a debt.

Gabriel de Haes, plaintiff, against the wife of Jan Martensen. defendant.

The plaintiff demands of the defendant payment of 8 beavers.

The defendant admits the debt and promises to pay the aforesaid 8 beavers within the space of 6 days.

The honorable court orders: *fiat.*

[161] Pieter Bronck, plaintiff, against Philip Hendericksen, defendant.

The plaintiff demands of the defendant payment of 73½ beavers.

The defendant denies that he owes so much and requests first a liquidation of accounts.

The honorable court refers the matter to referees.

Daniel Verveelen, plaintiff, against
2d default Jacob Adriaensen, defendant.
Johannes Withart, plaintiff, against
1st default Pieter Loockermans, defendant.
Madam Ebbinghs, plaintiff, against
1st default Poulus Martensen, defendant.
Symon Janssen Turck, plaintiff, against
1st default Johan Labitie, defendant.
Jan Martensen, plaintiff, against
2d default Jan Everraerts, defendant.
Idem, plaintiff, against
1st default Jan Michielsen, defendant.
Idem, plaintiff, against
2d default Mary Stevensen, defendant.

Jan Harmsen, plaintiff, against
1st default Harmen Bastiaensen, defendant.
Albert, the wheelwright, plaintiff, against
1st default Willem Brouwer, defendant.
Jan van Eeckelen, plaintiff, against
1st default Willem Brouwer, defendant.

[162] Extraordinary Session held in Fort Orange July 22 Anno 1659

Cornelis Teunissen Bosch, plaintiff, against Gabriel de Haes, defendant.

The plaintiff says that he contracted with the defendant about the purchase of 4 pieces of duffel, of which, the plaintiff says, one piece of red duffel is not merchantable.

The defendant says that the plaintiff definitely bought the aforesaid duffels and saw the same several times, and that the defendant has already received 40 beavers for them on account, which shows that it was an absolute sale.

The honorable court, having heard the parties on both sides, orders that according to the plaintiff's admission the purchase is valid and that he is to receive the pieces of duffel by the yard according to their contract, and in case there is some defect in the duffels due to rotting or otherwise, that the defendant is to make good the damage according to the decision of two referees to be chosen by them respectively, and the defendant is released from the costs of the suit.

[163] Extraordinary Session held in Fort Orange, July 25 Anno 1659

Mr Poulus Schrick, plaintiff, against Jan van Eeckelen, defendant.

The plaintiff demands payment by the defendant of fl.281:4 in beavers, being the balance due on a note for damages, with the interest thereon.

The defendant admits the debt, but says that he wishes to

pay in boards, or else requests the plaintiff to have a little patience, so as not to put the defendant to extra expense, and promises to pay at the first opportunity.

The honorable court, having heard the parties on both sides, condemns the defendant to pay the sum demanded to the plaintiff in the space of thrice 24 hours, on pain of execution, with costs.

[1] The 4th of August there appeared in Fort Orange before the commissary and magistrates Major General Willem Hauthoorn [2] and Captain Jan Pinchon,[3] who declared that they had come here from Hertfort [4] to establish friendly relations and intercourse with us and at the same time to supply the place with cattle and that in order to facilitate this they had found a suitable place for a village, 5 Dutch miles from the North river, east of the Wappingers' kill,[5] which place they intended to take possession of in case it was not within our limits and if we should allow them to have access to the North river by the said kill.

To which proposition we replied, after we had thanked them for their offer of friendship, that we had here nothing more than a subordinate court, under the director general and council of New Netherland, and therefore had no authority to give them any concession or permission, which had to come from the director general and council; to which they assented.

[164] Extraordinary Session held in Fort Orange, August 8 Anno 1659

Pieter Jacobsen, plaintiff, against Willem Brouwer, defendant.

The plaintiff demands of the defendant payment of fl.535:11 in beavers, and produces an obligation or note of hand signed by the defendant in the plaintiff's book.

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[1] Revised from *Doc. rel. to Col. Hist. N. Y.*, 13:101.

[2] William Hawthorn.

[3] John Pinchon.

[4] Hartford.

[5] The original text has Wappingus kil.

The honorable court, having heard the parties on both sides and examined the obligation, order the defendant to pay the plaintiff the sum of fl.535:11 demanded in beavers within the space of eight days, with costs, on pain of execution.

[165] Instructions issued by the honorable commissary and magistrates of Fort Orange and the village of Beverwyck for the rattle watch, appointed at the request of the burghers to relieve them of night-watch duty; to the rattle watch of which place Lambert van Valckenborgh and Pieter Winnen were appointed the 6th of July of this year 1659, on condition that they together are to receive for the term of one year one thousand and one hundred guilders in seawan and one hundred guilders in beavers.

First, the said rattle watch shall be held to appear at the burghers' guard house after the ringing of the nine o'clock bell and together at ten o'clock shall begin making their rounds, giving notice of their presence in all the streets of the village of Beverwyck by sounding their rattle and calling [out the hour], and this every hour of the night, until 4 o'clock in the morning.

Secondly, they shall pay especial attention to fire and upon the first sign of smoke, extraordinary light or otherwise warn the people by knocking at their houses. And if they see any likelihood of fire, they shall give warning by rattling and calling, and run to the church, of which they are to have a key, and ring the bell.,

[166] Thirdly, in case they find any thieves breaking into any houses or gardens, they shall to the best of their ability try to prevent it, arrest the thieves and bring them into the fort. And in case they are not strong enough to do so, they are to call the burghers of the vicinity to their aid, who are in duty bound to lend the helping hand, as this is tending to the common welfare.

Fourthly, in case of opposition, they are hereby authorized to offer resistance, the honorable commissary and magistrates declaring that they release them from all liability for any acci-

dent which may happen or result from such resistance if offered in the rightful performance of their official duties.

Which instructions the aforesaid rattle watch shall swear to observe. Actum in Fort Orange, the 3d of September Anno 1659.

[168][1] Ordinary Session held in Fort Orange, September 9 Anno 1659

Evert Pels, plaintiff, against Jan Martensen, defendant.

The plaintiff demands from the defendant 20 beavers by balance of accounts arising from the purchase of 5 aams of brandy, in regard to which judgment was put off on the last court day, being the 15th of July, until the next court day. Whereas the defendant denies having received 5 aams of brandy, but admits that he received 4 aams, it is requested that the case be put over to the next court day, to be decided by the oath of the parties, the plaintiff to have the preference and upon his refusal [to take the oath], the privilege of taking the oath to be extended to the defendant.

Jan Roeloffsen, plaintiff, against Pieter Loockermans, defendant.

The plaintiff demands from the defendant 3 beavers.

The defendant admits the debt. Is condemned to pay cash.

Carel Janssen, plaintiff, against Jaques Tyssen, defendant.

The plaintiff demands from the defendant two beavers.

The defendant admits the debt.

The parties having been heard, the defendant is ordered to pay the two beavers to the plaintiff in the space of six weeks.

[169] Henderick Gerritsen, plaintiff, against

Default Jan van Hoesem, defendant.

Foppe Barentsen, plaintiff, against Henderick Gerritsen, defendant.

The plaintiff demands of the defendant payment of 11 beavers for wages.

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[1] Page 167 is blank.

The defendant presents a counter claim.

The honorable court, having heard the parties on both sides, order them to go over their accounts with each other and about the difference to appear on the next court day.

Jan Albertsen, plaintiff, against Zacharias Sickels, defendant.

The plaintiff says and complains that the defendant called him a thief and demands reparation of character.

The defendant admits having said so and says that he heard it from Jacob Tyssen in the presence of Jan Pietersen.

[170] Extraordinary Session held in Fort Orange by both courts to hear the propositions made by the Maquaes, this 6th of September Anno 1659 [1]

Present:

La Montagne	Dirck Janssen Croon
Mr Jeremias van Renselaer	Anderies Herbertsen
Arent van Curler	Sander Leendersen
Françoys Boon	Jan Verbeeck

Furthermore, all the former magistrates.

1 They say they have taken the path to treat with one another in friendship and thereupon give a string of seawan.

2 They say that they and other savages dislike to see their nation drink so much brandy. Give thereupon two beavers.

3 They say, we have been here before and made an alliance. The Dutch, indeed, say we are brothers and are joined together with chains, but that lasts only as long as we have beavers. After that we are no longer thought of, but much will depend upon it when we shall need each other. They thereupon give two beavers.

4 They say, the alliance which was made in this country, who can break it? Let us always maintain this alliance which was once made. Give thereupon two beavers.

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[1] Revised from *Doc. rel. to Col. Hist. N. Y.*, 13:108–10.

[171] 5 They say, we have to expect our enemies, the French, and if we drink ourselves drunk, we can not fight. They request therefore that we shall sell no brandy to them and bung up the casks. Give thereupon two beavers.

6 They say, when we go away now, we shall take with us a good deal of brandy and after that no more, and we shall burn all our kegs. And although we now propose this, it will nevertheless not be omitted, but when the savages come into the country with brandy, we shall come and report to the Dutch officials who sold it to them. Give thereupon a string of seawan.

7 They say, the Dutch must leave off their wickedness and not beat them as much as they have done heretofore. Give thereupon one beaver.

8 They say and request that the smith, when they have no money, shall nevertheless repair their goods, regardless of whether they have much or little seawan. Give thereupon one beaver and a string of seawan.

9 They request that the gunstockmakers shall finish their gunstocks at the first opportunity [1] and shall not keep them waiting long and make them run after them. Give thereupon one beaver and a string of seawan.

[172] 10 They say, when we come from the country, even if the guns are repaired, we have no powder. You must therefore give us some powder and if the enemy should come, you will not care to help us. You people are too much afraid, but let us have only 50 or 60 men for assistance. Give thereupon two beavers.

11 He says that he has two sons taken prisoners by the French and held a long time. They trust that they will yet be released and request that the Dutch will then bring them back and that they would do the same for us. Give thereupon two beavers.

12 They say, look at the French and see what they do for their savages when they need them. Do the same for us and help us repair our castles. Give thereupon a coat of beaver skins.

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[1] *dat de Lademaeckers haer laden met den eersten sullen affmaecken.*

13 They say and request that we shall go there with 30 men and horses to cut and draw wood for their castles to repair them, for they are too lazy to work, and that the Dutch would carry the wood sleds into the country. Give thereupon a beaver coat and one beaver.

[173] 14 They say that when any one of their people dies and one of the Dutch is his partner, he ought to give to the relatives of the deceased one or two suits of cloth. Give thereupon one beaver.

15 They say finally, you need not give us anything in return. They thereupon give one beaver.

Session held in Fort Orange on the 8th of September anno 1659, to consider the propositions made by the Maquaes on the 6th of the same month

Present:

La Montagne	Dirck Janssen Kroon
Jeremias van Rencelaer	Anderies Herbertsen
Arent van Curler	Jan Verbeeck
Françoys Boon	Sander Leendersen

And all the former magistrates

1 It is jointly resolved and decided that this provisional answer shall be given to the Maquaes, namely: That there is no doubt of the brotherly union which many years ago was concluded between the Dutch and the Maquaes and that this shall always be maintained and held securely together by a chain.

[174] 2 We are daily expecting Mr Stuyvesant and shall then speak to you of everything and shall let you know of his arrival, or some of the Dutch sachems will go into the country.

Whereupon 50 guilders in seawan were given to the Maquaes.

Extraordinary Session held in Fort Orange by both courts of the said place, September 16 Anno 1659

Present:

La Montagne	Dirrick Janssen Croon
Jeremias van Rensselaer	Anderies Herbertsen
Arent van Curler	Sander Leendersen
Françoys Boon	Jan Verbeeck

Whereas their honors met together on the 6th of this month to listen to the propositions which the chiefs of the Maquaes had to make and, having heard them, gave a provisional answer to the said Maquaes on the 8th of the same month, to the effect that upon the arrival of the honorable general here [175] a definite answer would be given to the said propositions, and whereas to their sorrow they hear that the honorable general on account of his illness and indisposition can not come;

Therefore, their honors have for the peace and well-being of this country decided to delegate some of their members to enter into a further alliance with the said Maquaes, to thank them for their old and continued friendship shown to our nation and further to give them a fair and proper answer to their propositions and at the same time to offer them a present of fl. [ ] in seawan, 75 lbs of powder, 100 lbs of lead, 15 axes and two beavers' worth of knives. For which purpose Mr Jeremias van Rencelaer, Françoys Boon, Dirick Janssen Croon, Anderies Herbertsen, Mr Arent van Curler, Adriaen Gerritsen, Jan Tomassen, Volckert Janssen, Philip Pietersen and Johannes Provoost voluntarily offered themselves to go as delegates.

[176] Propositions made in the first castle of the Maquaes called Kaghnuwage in the presence of all the chiefs of the three castles, on the 24th of September Anno 1659, in the Maquaes' land [1]

Present:

Jeremias van Rencelaer	Anderies Herbertsen
Arent van Curler	Philip Pietersen Schuyler
Françoys Boon	Jan Tomassen
Dirrick Janssen Croon	Volckert Janssen

Together with others, to the number of 17

1 Brothers, we have come here only to renew our old friendship and brotherhood and you must tell it to your children; our children will always be able to know and remember it through the writings which we leave behind us; we die but they remain. From them they will always be able to see how we have lived in friendship with our brothers. Brothers, we have not been able to bring with us any cloth, for we could not get men to carry it. But friendship can not be bought for merchandise; our heart has always been good and is still so and if that is no good, one can not buy friendship, even if this whole land were full of goods and beavers. We give thereupon three bunches of seawan.[2]

2 Brothers, it is now sixteen years ago that we made our first treaty of friendship and brotherhood between you and all the Dutch, [177] which we then joined together with an iron chain and which until now has not been broken either by us or our brothers and we have no fear that it will be broken by either side, so that we shall not speak of that any more, but shall all be and remain as if we had lain under one heart. We therefore give you now as a token of thankfulness that we are brothers two bunches of seawan.

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[1] Translation revised from that in *Doc. rel. to Col. Hist. N. Y.*, 13:112–14.

[2] *drie bossen Seewant*, which Mr Fernow erroneously translates as "three boxes of wampum."

3 Brothers, it is now 18 days ago that you were with us and made your propositions to the Dutch, your brothers. We could not give you then any answer as we were expecting Mr Stuyvesant. We therefore promised you that we should let you know when Mr Stuyvesant had arrived, but as he has fallen very sick, he can not come for the present. We therefore tell you now, brothers, that what we shall say, we say in the name of Mr Stuyvesant and all the other chiefs and the Dutch and their children. We give the brothers as a present and to assure them that we do not lie two bunches of seawan.

4 Brothers, we now state once and for all for ourselves and in the name of all the Dutch who are now in or who may yet come into the country and of all their children — for we can not come here every day, as the roads are so bad to travel over — that henceforth you will have no occasion to doubt that we shall be and remain brothers; and if there should be any nation or savages, whoever they might be, who should try to stir you up, brothers, saying that the Dutch wish to fight against you, you are not to accept the statement or believe it, but you will tell them that they lie, and we shall say the same if they say that of you, brothers, and not believe any prattlers. We do not wish to go to war and shall not leave our brothers in want of that with which we can help you, but we can not compel our smiths or gunstockmakers to repair the muskets of our brothers without receiving pay for it, as they must earn a living for their wives and children, who would otherwise perish from hunger, and they would remove from our country if they received no seawan for their work and then we and our brothers would be sorely in need of them. We give you hereupon as a present two bunches of seawan.

5 Brothers, it is now 18 days ago that you requested us not to sell [179] any brandy to your people and to bung our casks. Brothers, do not allow your people to come to us for brandy and it will not be sold to them, for only two days ago we met [Indians with] from 20 to 30 kegs on the road, all going to obtain brandy.

Our chiefs are very angry that the Dutch sell brandy to your people and always forbid it to our people; now forbid it to your people also and if you desire us to take away from your people the brandy and the kegs, then say so now before all these people, but if we do so, the brothers must not be angry. We give hereupon two bunches of seawan.

6 Brothers, we give you now this powder and lead. You must take good care of it so as to use it in case any enemies should attack you, when you can distribute it among the young men. And gave them 75 lbs of powder and 100 lbs of lead.

7 Brothers, we see that you are very busy cutting wood to build your fort. The brothers have asked us for horses to haul it out. That is not feasible for horses, because the hills here are so high and steep, and the Dutch can not carry it out as they become sick merely from marching to this place, as you may see by looking at our people; how, then, could they in addition carry palisades? But as [180] the brothers sometimes break their axes in cutting wood, we give the brothers these axes. Gave them 15 axes.

8 Brothers, as some of your people as well as the Mahicans and also the Sinnekus, sometimes kill the horses, cows, hogs and goats of our people, we request you, brothers, to forbid your people doing it. We give you hereupon two beavers' worth of knives.

All the foregoing propositions having been made, they were gratefully accepted by the chiefs and all the bystanders, [including the proposal] that the brandy kegs should be taken away from them.

As soon as we had made our propositions, a letter was handed to us by the negro of Mr La Montagne, whom his honor had expressly dispatched to us. From this letter we learned that some mischief and fighting had taken place between our people and the Esopus savages. We immediately communicated the news to the chiefs and the bystanders, who listened to it in great astonishment and said in reply that we had done very well in making it known so frankly and that they were very glad of it, and for

this reason, if the Esopus or other river Indians should come to them with presents and asked them for assistance [181] to fight with them against our people, they would kick them with the foot and say to them: You beasts, you hogs, go away from here, we will have nothing to do with you.

After having done all this, we asked the Maquaes to release the eight French prisoners and to take them back to their country. They gave us for answer that they must first deliberate about it with all their castles; that done, they would inform us by two or three of their chiefs. They complain bitterly about the French, because the French do not keep the peace made with them, for whenever they are out hunting, they are attacked by the French savages, among whom are always concealed parties of Frenchmen, who meanwhile beat them.

We were further informed by a French prisoner that the wreck of a small vessel had been found on the island near the mouth of the Canada, namely, by a sloop with six or eight men who were rowing there, and the French said and maintained that it was the bark of Jan Peree. This for information.

We received also a package with letters which was brought by a Maquaes of the third castle from the Trois Rivières. It was directed to M[r]. Jacob de Hinson,[1] [182] and as he was personally present, we opened the package and found therein three or four letters to a captain of a bark who appeared to have sailed from Canada to the Manhatans, and also a letter to the honorable general, which by unanimous decision was opened by us to see whether it might be of use to us on this occasion, as it was a letter from the Jesuit, Symon La Moyne. We hope that the honorable general will not take it ill of us, as we did it for the public service and the best of the community.

The honorable commissary and magistrates of Fort Orange and the village of Beverwyck, having received several complaints about the insolent treatment of the savages in beating them and

[1] Jacob de Hinse, a surgeon at Beverwyck.

throwing things at them, which tends to dangerous consequences, in order to provide therein and to prevent any accidents in these dangerous times, have forbidden, as they expressly do forbid hereby, all residents of this jurisdiction to molest any savage, of whatever nation he may be, on pain of arbitrary correction. Thus done at the session of the honorable court of Fort Orange and the village of Beverwyck, held in Fort Orange on the 27th of September Anno 1659.[1]

[183] Ordinary Session held in Fort Orange, October 6 Anno 1659

Present:

Françoys Boon
La Montagne
Anderies Herbertsen
Sander Leendersen
Jan Verbeeck

Gerrit Swart, attorney for Johannes Dareth, plaintiff, against Reynier Wisselpenningh, defendant.

The plaintiff demands of the defendant payment of 29 beavers.

The defendant admits the debt.

The honorable court, having heard the parties on both sides, condemn the defendant to pay the plaintiff the 29 beavers demanded within the space of six weeks, on pain of execution.

Jacob Tyssen van der Heyden, plaintiff, against Jan Albertsen, defendant.

The plaintiff complains that the defendant at his house has been guilty of great insolence and offers to prove it, as he does, by seven witnesses.

The defendant also complains that the plaintiff called him a thief and requests that the case may be put over until the next court day, so that he may submit his evidence.

The honorable court orders: *fiat.*

Default

Baltus Jacobsen, plaintiff, against
Jan van Hoesem, defendant.

[1] Translation revised from *Doc. rel. to Col. Hist. N. Y.*, 13:114.

The wife of Evert Pels, plaintiff, against the wife of Jan Martensen, defendant.

The plaintiff demands of the defendant payment of 20 whole beavers, due by balance of [184] account for 5 aams of brandy, as may be seen from the minutes of the preceding court day, being the 9th of September, when the parties for the second time were given time to confirm their testimony upon oath. Now, upon the oath of the plaintiff, the defendant is condemned to pay the plaintiff the 20 beavers demanded within the space of six weeks, on pain of execution.

Adriaen Gerritsen, plaintiff, against Cornelis Teunissen Bosch, defendant.

The plaintiff demands of the defendant payment of 33 guilders and 16 stivers in beavers, arising from disputed accounts between Joost Teunissen and the defendant, which amount was due to Joost Teunissen by balance of accounts and was assigned by him to the deacons for the benefit of the poor.

The defendant denies the debt. He admits that he owes 33 guilders and 16 stivers in seawan, but says that he wishes to dispose thereof as he sees fit.

[185] Copy

I, the underwritten, Jan Eerraerts, hereby acknowledge that I have nothing to say against the person of Jan Martensen and his wife that is bad or dishonorable, and that I am sorry for what I have said heretofore, as this was said in drunkeness, so that we forgive one another. In witness of the truth this was signed with his own hand, on this 7th of October Anno 1659, in Fort Orange. Was signed: Johannes Eerraerts, in my presence, Ludovicus Cobus, court messenger.

Agrees with the original,

To my knowledge,

Johannes Provoost, Clerk

The honorable court having received a letter from the honorable general, whereby the honorable commissary is summoned to

meet the honorable general near the Esopus, the honorable magistrates have resolved to depute the honorable Françoys Boon to sail with him to the Esopus and to communicate to the honorable general what is needed at this place. *Actum* in Fort Orange, October 7 Anno 1659.

[186] Whereas Cornelis Teunissen Bosch on the 8th of July of this year dared to defame the honorable magistrates of this court, which said magistrates represent the supreme authorities, and this by such words that out of respect due to the court we dare not write them down, as appears from the testimony of three credible witnesses and his own confession; therefore, I, Johannes La Montagne, plaintiff, in my capacity of officer, demand that the aforesaid Cornelis Teunissen Bosch, as a defamer of his superior authorities and [contemner of] their ordinances, shall be condemned to pay a fine of twelve hundred guilders and in addition shall be banished from this jurisdiction for the period of twelve consecutive years, as an example to others. *Actum* in Fort Orange, the 28th of October Anno 1659.

In reply to which demand of the officer, Cornelis Teunissen Bosch said that he did not propose to plead his case before the magistrates of this place and rejected their authority, appealing to the honorable director general and council.

[187] Extraordinary Session held in Fort Orange, October 14 Anno 1659

The honorable magistrates, plaintiffs, against Jan Roeloffsen, defendant.

The honorable plaintiffs produce testimony of two credible witnesses, to wit, Volckert Janssen and Matteuwes Janssen, that the defendant called the honorable plaintiffs beasts and said: "Yes, they are beasts!"

The defendant apologizes and says that he was drunk and knows nothing of it, saying that if it did happen, it had reference, not to the honorable plaintiffs, but to the magistrates of the colony,

who called them rabble and canaille. He says also that Jacob Teunissen and Henderick Anderiessen were present.

[signed] Jan Roelofsen

[188] Extraordinary Session held in Fort Orange, October 19 Anno 1659, to hear some propositions to be made by two Maquaes sachems, being sent by and speaking in the name of all of them.[1]

Present:

La Montagne
Jeremias van Rencelaer
Françoys Boon
Anderies Herbertsen
Dirrick Janssen Croon
Sander Leendersen
Jan Verbeeck
Arent van Curler
Volckert Janssen

First, they say that is very wrong that the Dutch scold the savages so much and call all the nations " dogs " and " rascals," and say immediately: " Yes, you too are an Esopus dog." They give thereupon a string of seawan.

Secondly, they request that the Dutch shall do no harm to any Maquaes, Mahikanders, or Katskil savages, but live with them as brothers.

Thirdly, they say that they have advised with their four Castles about the fighting which occurred between the Dutch and the savages in the Esopus and inquire whether we also intend to go to war against the Esopus savages, or whether we intend to keep quiet here, for all their sachems leave the decision as to war to us and desire an answer. They give a string of seawan.

Fourthly, they say " You say you have no war and that you [189] do not wish to go to war against any savages." About which the savages were very angry and [asked] why we said that, [saying]: " For you and the Manhatans are one. Suppose the Esopus savages came now or in the spring to kill the country people, what would you do then? You have no sense."

[1] Translation revised from *Doc. rel. to Col. Hist. N. Y.*, 13:122.

They demanded back the strings of seawan and dispatched a Mahican sachem to the Esopus to bring here the Christian prisoners and the Esopus sachems, directing the Indian messenger to give the three strings of seawan in the name of the Maquaes, in order that the Esopus savages should do no harm to the Dutch here and at Katskil and release the Christian prisoners, or else to proclaim war against them.

Ordinary Session held in Fort Orange, October 28 Anno 1659

Present:

La Montagne — Sander Leendersen
Françoys Boon — Jan Verbeeck
Anderies Herbertsen

Jan Albertsen, plaintiff, against Jacob Tyssen van der Heyden, defendant.

The plaintiff produces testimony of three credible witnesses, as he on the last court day was ordered by the court to present his evidence. They testify that after the wives of the parties had been fighting and were separated, the defendant's wife called the plaintiff's wife a thievish whore and said: "Does your head feel sore enough? Come here; I will give you some more."

[190] The defendant produces counter evidence of seven witnesses to the effect that the plaintiff demanded that the defendant should come outside the door while he had a knife with some food in his hand and that he called the defendant a rascal.

The honorable court, having heard the parties on both sides and considered the case, adjudge that the scolding of one woman balances that of the other and that there is no cause of action, provided that each of them shall pay one pound Flemish for the benefit of the poor. As to the plaintiff, who without cause is alleged to have challenged the defendant standing in his own doorway and to have called him a rascal, which he can not prove,

he is condemned to pay a fine of 25 guilders for the benefit of the officer.

Tomas Coninck, plaintiff, against Solder Pietersen, defendant.

The plaintiff demands of the defendant payment of fl.9:10:–

The defendant admits the debt.

The honorable court, having heard the parties on both sides, order the defendant to pay the plaintiff the sum of fl.9:10 demanded within the space of three weeks, with the costs of the suit.

[191] Baltus Jacobsen, plaintiff, against Jan van Hoesem, defendant.

The plaintiff says that he bought a cow of the defendant, for which the defendant took in part payment a half piece of cloth.[1] Owing to the plaintiff's long delay in paying the rest of the amount, the defendant took back the cow, but kept the cloth. The plaintiff, therefore, demands restitution of the cloth.

The defendant says that the plaintiff should have paid the rest of the amount precisely when due and that he has had the use of the cow all summer. He therefore claims payment for the milk which the cow has given during the summer.

The honorable court refers the parties to referees to appraise the milk which the cow has given during the summer, for which the plaintiff is to pay.

Hans Coenraetsen, plaintiff, against Jan van Eeckelen, defendant.

The plaintiff says that he and the defendant were in partnership together and that on the dissolution of the partnership they made a contract with each other. The plaintiff now demands the fulfilment of the contract, the term of which has expired.

The defendant acknowledges the expiration of the term of the contract and offers by way of assignment to pay 63 schepels of wheat.

Ordered: *fiat*, according to the contract.

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[1] *dosyntiens*, from the French "draps de douzaine," a general name for light-weight cloth.

[192] Evert Nolden, plaintiff, against Femmetien *de baxter*,[1] defendant.

The plaintiff demands of the defendant payment of fl.100 for the extension table with the top over it,[2] which the plaintiff had had made for his convenience during the term of his lease and for which according to appraisal by referees so much was to be paid.

The defendant says that it happened through an oversight of the referees that in selling the defendant's house they did not omit the table.

The honorable court orders the defendant to pay to the plaintiff the sum demanded according to the award of the arbitrators.

Whereas Cornelis Teunissen Bosch on the 8th of July of this year dared to defame the honorable magistrates of this court, which said magistrates represent the supreme authorities, and this by such words that out of respect due to the court we dare not write them down, as appears from the testimony of three credible witnesses and his own confession; therefore, I, Johannes La Montagne, plaintiff, in my capacity of officer, demand that the aforesaid Cornelis Teunissen Bosch, as a [193] defamer of his superior authorities and [contemner of] their ordinances, shall be condemned to pay a fine of twelve hundred guilders and in addition shall be banished from this jurisdiction for the period of twelve years, as an example to others. *Actum* in Fort Orange, the 28th of October Anno 1659.[3]

Albert Gysbertsen, plaintiff, against Lambert van Valckenborgh, defendant.

Case put over until the next court day, when the parties are to produce their evidence.

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[1] The same as Femmetien, *de backster*, or the bakeress, meaning Femmetien Alberts, the widow of Hendrick Jansen Westerkamp, the baker.

[2] *Schuyftaeffel en het dack daer over.*

[3] Also recorded on p. [186].

The 4th of November the honorable commissary and the honorable present and former magistrates met at the house of Dirck Janssen Croon to plan a much needed defense of this village of Beverwyck against attacks by the savages in these dangerous times and to have this defense built as speedily as possible with the materials at hand. The aforesaid gentlemen, therefore, have resolved and decided to have the said defense made of posts and boards, to wit, eight boards high, with seven bastions to protect the curtains, [194] which [fence] shall surround the greater part of the village of Beverwyck, the length of its circumference being 250 rods, to which end S^r^. Françoys Boon, Dirrick Janssen Croon, Captain Abraham Staets and Adriaen Gerritsen are appointed as overseers of the aforesaid work, who immediately summoned Carsten the Noorman and Harmen Bastiaen, wood cutters, to furnish as many posts as are needed for the said work and contracted with them for the sum of [blank]. *Actum ut supra.*

By order of the honorable court,

Johannes Provoost, Clerk

[195] Ordinary Session held in Fort Orange, November 11 Anno 1659

Present:

La Montagne — Anderies Herbertsen
Françoys Boon — Sander Leendersen
Jan Verbeeck.

Baltus Jacobsen, plaintiff, against Jan van Hoesem, defendant.

The parties are referred to the previous order given on the preceding court day.

Pieter Jacobsen Bosboom, plaintiff, against Jan Tomassen, defendant.

The plaintiff demands from the defendant payment of fl.57 in beavers, for brick delivered.

The defendant denies that he owes the aforesaid sum in beavers and claims that it is due in seawan.

The plaintiff replies that the defendant hauled the brick from the brickyard while the plaintiff was away from home. He therefore thought that the defendant had taken the brick on the same condition as heretofore, at one and a half beavers the thousand, which price he has also charged to every one else.

The honorable court orders the defendant to pay the plaintiff for each thousand bricks which he has received the sum of fl.15 in seawan.

The wife of Jan Rinckhout, plaintiff, against Jan van Hoesem and his wife, defendants.

The plaintiff says and complains that the [196] defendant has assaulted her in her house and beaten her severely, so that she was black and blue, as appears from the affidavits which she produces.

The defendant says that the plaintiff called her all sorts of names, which induced her to beat her. She requests time until the next court day, in order to defend herself by counter affidavits.

The honorable court orders: *fiat.*

The wife of Michiel Teunissen, plaintiff, against Claes van den Bergh, defendant.

The plaintiff demands of the defendant fl.8 in seawan for a shirt which the defendant's wife sold to the plaintiff and which the defendant himself called for and took away, without giving back the money.

The honorable court orders the defendant to return the aforesaid fl.8 to the plaintiff.

Claes van den Bergh, plaintiff, against the wife of Jan Martensen, defendant.

The plaintiff demands of the defendant the following goods which his wife carried out of the house without her husband's knowledge:

A testament with silver mountings	fl. 7:—:—
A pair of stockings	4:—:—
26 filigree silver buttons	6:—:—
2 linen caps	2:—:—
	fl.19:—:—

The honorable court orders the defendant to return the goods to the plaintiff, [197] provided that the plaintiff shall return to the defendant the money paid out.

Gommer Poulussen, plaintiff, against
Default Willem Martensen, defendant.

Pieter Jacobsen Bosboom, plaintiff, against
Default Jan Tomassen, defendant.

Extraordinary Session held in Fort Orange, November 18 Anno 1659

Present:

La Montagne	Anderies Herbertsen
Jeremias van Rencelaer	Sander Leendersen
Arent van Curler	Jan Verbeeck

Françoys Boon

[1] The honorable members of both the courts having met jointly to consider a letter from the honorable general to the court, dated the 12th of November, in which the honorable general writes about restraining the Esopus savages,[2] in regard to which we are still uncertain. And as to speaking with the Katskill and Mahican Indians, we have after due deliberation

[1] Revised from *Doc. rel. to Col. Hist. N. Y.*, 13:127–28.

[2] *schrijft over de onthoudinge vande Esopusse wilden;* literally, writes about the abstention of the Esopus savages.

concluded that thus far this is not necessary, as we do not know whether the honorable general will be able to carry out his plan according to his letter, [198] for in case the honorable general should succeed in obtaining the terms demanded of the Indians according to his honor's letter, it would be deemed unnecessary that the Esopus Indians should from now on be shut out by the Mahican and Katskill Indians, but as soon as we are informed that any fighting is going on in the Esopus, we shall speak with the aforesaid Indians. *Actum ut supra.*

By order of both courts,
Johannes Provoost, Clerk

[199] The honorable commissary and the honorable magistrates of Fort Orange and the village of Beverwyck, seeing the necessity for a defense of this place against an attack by the savages in these dangerous times, have ordered the same to be made on the land side, which is progressing daily. But noticing that the said defense remains open on the water side and that the private gardens reach down to the said side, their honors have decided, as they decide hereby, that every one shall set back the fence of his respective garden to the line already laid down, and make the said fence of posts and boards, from 7 to 8 feet high, to prevent access by the enemy from the river side, and this within the space of eight days, under penalty of fl.50. *Actum* in Fort Orange, this 24th of November 1659.

[200] Ordinary Session held in Fort Orange, November 25 Anno 1659

Present:

La Montagne — Sander Leendersen
Françoys Boon — Jan Verbeeck
Anderies Herbertsen

Jan Anderiessen, plaintiff, against Jan Barentsen, defendant. The plaintiff demands of the defendant payment of two beavers and fl.3 in seawan.

The defendant admits the debt.

The honorable court orders the defendant to pay the plaintiff the sum demanded, to wit, two beavers and fl.3 in seawan.

Jan Anderiessen and Pieter Jacobsen Bosboom, plaintiffs, against Jan Roeloffsen, defendant.

The plaintiff demands of the defendant 17 beavers.

The defendant admits the debt.

The honorable court orders the defendant to pay the plaintiff the 17 beavers demanded cash.

Pieter Jacobsen Bosboom, plaintiff, against Anderies Herbertsen, defendant.

The plaintiff demands of the defendant payment of the hire of his horse which the defendant rode to the Maquaes in the public service.

The defendant acknowledges that he used the said horse but says and maintains that the commissary must pay the said hire, as the horse was used in the service of the Company and for the welfare of the country.

The honorable court order that inasmuch as the horse was used in the service of the Company the commissary shall take charge of the matter and pay.

Pieter Adriaensen, plaintiff, against

2d default Jan Gouw, defendant.

[201] Jan Eerraerts, plaintiff, against

1st default Jan Gouw, defendant.

Jeurriaen Teunissen, plaintiff, against Daniel Rinckhout, defendant.

The plaintiff demands of the defendant payment of 71 guilders and 8 stivers.

The defendant admits the debt.

The honorable court orders the defendant to pay the plaintiff the sum of fl.71:7 demanded within the space of six weeks.

Abraham Carpentier, plaintiff, against

Default Hans Coenraets, defendant.

The honorable magistrates, plaintiffs, against

Barent Albertsen
Henderick Roosenboom
Symon, the baker
Willem Bont
} defendants

Evert, the baker, is ordered to pay the promised fl.3 for the benefit of the rattle watch within the space of 24 hours, under penalty of forfeiting for every day one pound Flemish.

[202] At the request of Cornelis Wynkoop, nephew of Gysbert Philipsen, murdered by the Indians in the Esopus, whose estate in these troublous times has not yet been inventoried, the Honorable Dirrick Smit, commander in the Esopus, is hereby requested and authorized for the preservation of the said estate to appoint two curators from among the most competent persons in the Esopus to take charge of the said estate, and after a proper inventory shall have been made to sell the property to the best advantage and to deposit the proceeds with the court here, in order to pay therewith the creditors of the said Gysbert Philipsen *pro rata* and turn over the surplus or the remainder to the heirs. *Actum* in Fort Orange, this 25th of November Anno 1659.

[205][1] *Present:*

La Montagne	Anderies Herbertsen
Sander Leendersen	Jan Verbeeck

The honorable commissary and the magistrates of Fort Orange and the village being met have unanimously resolved for the welfare of this place to appoint and authorize the honorable Françoys Boon, magistrate of this place, to receive and disburse all the moneys which this place is entitled to derive from the burgher and the slaughters' excise, provided that he

[1] Pages 203 and 204 of the record are blank.

shall be held to render a proper account thereof to the court. *Actum* in Fort Orange, the 2d of December Anno 1659.

By order of the honorable court,

Johannes Provoost, Clerk

[206] Ordinary Session held in Fort Orange, December 9, 1659

Present:

La Montagne — Sander Leendersen
Françoys Boon — Jan Verbeeck
Anderies Herbertsen

Poulus Cornelissen, plaintiff, against Hans Carelsen, defendant.

The plaintiff says that he loaded 51 schepels of salt in the plaintiff's yacht at the Manhatans and that upon the unloading of the said salt he received only 21 schepels and that there are others who have a share in the said salt.

The defendant says that the crew transhipped the said salt from the ship into the yacht and measured it with a tun, taking up 3 schepels at a time, but that he himself was not present. He maintains that the shortage must be due to the way the salt was packed down by the measurer, for as the plaintiff came up the river with the said yacht, he can not understand how the salt could have diminished in the yacht.

The honorable court orders the plaintiff to have the participants of the salt summoned to appear on the next court day, in order that they may be heard and justice be done.

Anderies Herbertsen, plaintiff, against the wife of Jan Martensen, defendant.

The plaintiff demands from the defendant 100 schepels of wheat and produces a note.

The defendant admits the debt, but says that she can not pay the wheat on account of the war in the Esopus and offers 30 schepels of wheat.

The honorable court orders the defendant to pay the wheat demanded to the plaintiff in the space of 14 days, according to the note.

[207] Jan Albertsen, plaintiff, against Jacob Tyssen, defendant.

The plaintiff says and complains that the defendant called him a thief.

The defendant admits the charge and that he said it, but requests time until the next court day to produce his evidence.

The honorable court orders: *fiat*.

Jan Martensen, plaintiff, against Arent van den Bergh, defendant.

The plaintiff demands from the defendant payment of 9 beavers.

The defendant admits the debt.

The honorable court condemns the defendant to pay cash, or refers the parties to the previous judgment.

The wife of Henderick Anderiessen, plaintiff, against the wife of Jan Martensen, defendant.

The plaintiff demands of the defendant payment of 14½ beavers.

The defendant admits the debt.

The honorable court orders the defendant to pay the plaintiff the 14½ beavers demanded within the space of six weeks.

Pieter Adriaensen, plaintiff, against Jan Gouw, defendant.

The plaintiff claims compensation for damages suffered by him and still to be suffered this winter on account of [the defendant's failure to complete] the masonwork on his house, which the defendant agreed to do, and demands payment of fl.100 and 6 beavers in specie, which debt the defendant denies.

[208] The defendant promises to complete the work at the first opportunity whenever it will suit the plaintiff's convenience and in case of failure to put some one else in his place to carry on the work, and promises to make good the tiles which happen to blow off.

The honorable court orders: *fiat*, provided that the defendant shall be held to make good the tiles which should happen to blow off, suspending decision as to the compensation demanded until further proof.

Default Gommer Poulussen, plaintiff, against
Willem Martensen, defendant.
Abraham Carpeyn, plaintiff, against
Default Hans Coenraets, defendant.
Hans Coenraets, plaintiff, against
2d default Jan van Eeckelen, defendant.

Jan Mangelsen, appearing before the court, refuses to take the oath to give witness to the truth as to the dispute between Hans Hendericksz and Lambert van Neck.

Lambert van Neck being asked by the honorable court whether he did not see that Hans Hendericksen drew his knife on him and whether he did not ward him off with the tongs, answers: No, and refuses to take the oath to confirm his statement.

[Ordinance regulating tapsters; against playing golf in the streets, piling firewood in the street and firing guns on New-Year's day][1]

The honorable commissary and magistrates of Fort Orange and the village of Beverwyck, pursuant to the ordinance issued by the honorable director general and council of New Netherland and published here on the 6th of October 1656, ordain, as they do hereby ordain, that henceforth no one shall be allowed to engage in any business of tapping before and until he shall have obtained a license from the officer, on condition of paying therefor one pound Flemish and of being bound to renew his license every three months, on pain of suspension from his business.

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[1] Translation revised from that in *Laws and Ordinances of New Netherland*, p. 367–68.

The honorable commissary and magistrates of Fort Orange and the village of Beverwyck, having heard divers complaints from the burghers of this place against the practice of playing golf along the streets, which causes great damage to the windows of the houses and also exposes people to the danger of being injured and is contrary to the freedom of the public streets; Therefore, their honors, wishing to prevent the same, hereby forbid all persons to play golf in the streets, under penalty of forfeiture of fl.25 for each person who shall be found doing so.

Whereas daily experience shows that many burghers of this village of Beverwyck deposit and pile their firewood in the street, contrary to the freedom of said streets, which must always be kept free and unobstructed, whereby not only people are incommoded, but wagons, sleighs and carts can with difficulty make use of said streets, to the serious inconvenience of the public; Therefore, the commissary and magistrates of Fort Orange and the village of Beverwyck, wishing to provide against such inconveniences, hereby ordain that none of the inhabitants of Beverwyck shall herafter be allowed to let any firewood lie in the street for more than ten days, under penalty of confiscation of the said wood and of being, in addition thereto, subjected to a fine of fl.25.

Likewise, the honorable commissary and magistrates prohibit, as they do hereby most expressly prohibit, any of the burghers or inhabitants of the village of Beverwyck from shooting on New-Year's day, on account of the great damage and disorder which such firing causes, under penalty of twenty-five [guilders] for each person who shall be found to have done so.

Thus done in Fort Orange, at the meeting of the honorable court of the said place, on the tenth of December Anno 1659.

[210] The honorable officer, debit, for receipt of the following fines which have been imposed from primo January Anno 1658 to ultimo December Anno 1659

1658		
Jan. 22	Jan Teunissen, condemned to pay a fine of	fl. 500:—:—
March 11	Jan Anderiessen de Graeff and Pieter Jacobsen Bosboom, each condemned to pay a fine of fl.125, amounting together to.....	250:—:—
29 ditto	Dirrick Bensingh, condemned to pay a fine of.....	150:—:—
May 21	Luycas Pietersen, fined fl.60.....	60:—:—
July 16	Poulus Janssen, condemned to pay a fine of	500:—:—
August 13	Dirrick Carstensen, condemned to pay a fine of.....	50:—:—
1659		
May 26	Steven Janssen, condemned to pay a fine of	300:—:—
		fl.1800:—:—

Of the above listed fines the officer received as follows:

Jan Teunissen paid.....	fl.195:—:—
Jan Anderiessen and Pieter Jacobsen Bosboom paid in brick.....	250:—:—
Dirrick Bensingh paid in wages for carting....	150:—:—
Dirrick Carstensen	50:—:—
Steven Janssen paid.....	189:—:—
	fl.834:—:—

[211] The honorable officer, credit, for one half of the fines received as shown on the opposite page, according to the order of the director general and council of New Netherland, amounting to.....fl.417:—:—

And this day, the 2d of December Anno 1659, paid the said sum of four hundred and seventeen guilders to the honorable magistrates, by order on Adriaen Janssen van Leyden, farmer of the tapsters' excise.

[signed] Françoys Boon
Andries Herberts
Sandr Lenrsen
Jan Verbeeck

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PART IV

Court Proceedings Held in Fort Orange, Commencing the First of January Anno 1660

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[133] In the name of the Lord. Amen.

Continuation of the court proceedings of the court of justice of Fort Orange, the village of Beverwyck and the dependencies thereof, established *in loco*, the 10th of April Anno 1652, by the Right Honorable Director General and Council of New Netherland.

Ordinary Session held in Fort Orange the 13th of January Anno 1660

Present:

La Montagne — Alexander Leendersen
François Boon — Jan Verbeeck
Andries Herpertsen

Cornelis Breuckelen, plaintiff, against
1st default Teunis Cornelissen, defendant.

Arent Hendricksen, plaintiff, against
1st default Poulus Cornelissen, defendant.

Poulus Cornelissen, plaintiff, against Reynier Albersen and Egbert, the servant of Sander Leendersen, defendants.

The plaintiff persists in his previous complaint, made on the preceding court day, being the 9th of December 1659, about the shortage of 30 schepels of salt, and in accordance with the order of the honorable court has caused the co-participants to be summoned.

The honorable court orders that, while there is an opportunity to send a letter by a savage, the parties shall write to the

Manhattans, both to the city weigh-master and to those from whom they obtained the salt, in order to have further information on the subject.

[134] Michiel Teunesen, plaintiff, against Femmetien Albersen, defendant.

The plaintiff says that he is being sued on account of debts contracted between him and Femmetien Albersen during their partnership and shows by judgment given on the 5th of September 1657 that he owes nothing, persisting in his former denial.

The court orders that the defendant in accordance with the previous judgment shall pay all the debts made by them both during their partnership.

Jan Albers, plaintiff, against Jacob Tysen, defendant.

The plaintiff says that the defendant called him a chicken thief and demands proof thereof.

The defendant admits having said it and calls Gerrit Slechtenhorst as a witness.

Gerrit Slechtenhorst appearing before the court say that it is true that Jan Albersen has had a hen of his and that it was cooped up a long time and was marked differently, but not that he said that Jan Albersen had stolen it, nor that he was a thief.

The honorable court adjourn the case to the next court day.

Daniel Rinckhout, plaintiff, against Jan Fransen, defendant.

The plaintiff demands of the defendant twenty-one and a half beavers.

The defendant denies that he owes as much as the plaintiff claims.

The honorable court order parties to adjust their accounts and to appear before the court on the next court day about any difference which may remain.

Pieter Boudt, plaintiff, against
1st default Cornelus Hoogenboom, defendant.

Hans Coenraets, plaintiff, against
1st default Jan van Eckelen, defendant.

[135] Ordinary Session held in Fort Orange, January 27, 1660

Present:

La Montagne — Alexander Leendersen
François Boon — Jan Verbeeck
Anderies Herpertsen

Gerrit Swardt, plaintiff, against
1st default Jan Tymesen, defendant.
Jan Albersen, plaintiff, against
1st default Jacob Thysen, defendant.
Rutger Jacobsen, plaintiff, against
1st default Hendrick Claesen, defendant.
Pieter Boudt, plaintiff, against
2d default Cornelus Hoogen Boom, defendant.
Jan van Hoesem, plaintiff, against Eva Rinckhouts, defendant.
The honorable court adjourn the case to the next court day.
Frans Barentsen, plaintiff, against
1st default Femmetien Albersen, defendant.

Hans Coenraets, plaintiff, against Jan van Eckelen, defendant.

The court refers the parties to the previous judgment given on the 28th of October 1659.

Jan van Eckelen, plaintiff, against Reynier Wisselpenninck, defendant. Defendant in default.

The honorable officer, plaintiff, against Hendrick Anderiesen, defendant.

The plaintiff demands payment of seventy-one guilders, by balance of account resulting from some excess committed by the defendant.

[136] The defendant admits the debt and the excess committed by him, but claims that what he did to Cristoffel Daevidts was compounded for with the officer by his brother-in-law (*Swaeger*), Jacob Jansen Stol, deceased, who promised

to pay the sum because the excess was committed on his account.

The plaintiff admits that such an agreement was made, but inasmuch as he has received no satisfaction, he demands the same from the defendant as the offender in the case.

The honorable court, having heard the parties, order the defendant to pay the plaintiff the sum of twenty-one guilders. [Decision in] the action of the plaintiff against the defendant for the fl. 50 is reserved, the court remaining sureties for the money.

Ordinary session held in Fort Orange, February 17, 1660

Present:

La Montagne — Alexander Leendertsen
François Boon — Jan Verbeeck
Anderies Herpertsen

Schout Swardt, plaintiff, against
2d default Jan Tymonsen, defendant.

Frans Baerentsen, plaintiff, against Femmetien Albersen, defendant.

The plaintiff demands of the defendant payment of one hundred and thirty guilders and six stivers, according to the account.

The defendant admits the debt and promises to pay the same on [receiving] the last payment for her house.

The honorable court condemns the defendant to pay the plaintiff and from this date the plaintiff has a preferential claim on the last payment for the house.

[137] Rutger Jacobsen, plaintiff, against
2d default Hendrick Claesen, defendant.

Jan Meyndersen, plaintiff, against Jan Thoomassen and Volkert Jansen, defendants.

The plaintiff says that in the employ of the defendants he received a wound in his arm from a gun and requests that he may be reimbursed by the defendants for the surgeon's fees in connection with said wound.

The honorable court dismisses the plaintiff's case.

Cristoffel Davidts, plaintiff, against Willem Jansen, defendant.

The plaintiff demands fifty guilders by balance of accounts.

The defendant denies that he owes so much.

The honorable court orders that the matter be disposed of by referees.

The wife of Jan van Hoesem, plaintiff, against Eva Rinckhouts, defendant.

The plaintiff demands reparation of honor for some abusive language exchanged between the parties.

The defendant admits that she used some abusive words, but says that she is sorry and desires to live together as good neighbors.

The court, having heard the parties and the submission of the defendant, discharges her from the plaintiff's demands and orders that they shall henceforth live together in peace, under the penalty provided by ordinance.

Jacob Hendricksen, plaintiff, against

2d default Poulus Martensen, defendant.

[138] Jan Albersen, plaintiff, against Jacob Thysen, defendant.

The plaintiff demands reparation of character as the defendant called him a chicken thief.

The defendant produces a deposition made by Gerrit Slechtenhorst, containing testimony about a hen at one time detained at the house of Jan Albersen, which belonged to the deponent.

The court, having heard the parties and seen the deposition, find the matter somewhat obscure, but order the parties to satisfy each other and mutually to refrain from further proceedings in the matter.

Jan van Eeckelen, plaintiff, against

1st default Reynier Wisselpenninck and Willem Brouwer, defendants.

Jan van Eckelen, plaintiff, against the wife of Michiel Teunesen, defendant.

The plaintiff demands payment of five schepels of wheat and two guilders in seawan.

The defendant denies that he owes the wheat, but admits that he owes twelve guilders in seawan.

The honorable court orders the husband of the defendant to appear on the next court day.

Pieter Boudt, plaintiff, against
1st default Cornelus Hoogen Boom, defendant.

Idem, plaintiff, by his wife, against Abraham Carpeyn, defendant.

The honorable court orders the [plaintiff's] husband to appear on the next court day.

Poulus Cornelussen, plaintiff, against
1st default Hans Carelsen, defendant.

François Boon, plaintiff, against
1st default Jan Harmsen, defendant.

[139] Ordinary Session held in Fort Orange, March 2 Anno 1660

Present:

La Montagne — Alexander Leendersen
François Boon — Jan Verbeeck
Anderies Herpertsen

Hendrick Jochemsen, plaintiff, against
Default The wife of Gysbert de Vos, defendant.

Jacob Thysen, plaintiff, against
Default Jan Albersen, defendant.

Cristoffel Davidts, plaintiff, against
Default Willem Jansen, defendant.

Jan van Eeckelen, plaintiff, against Reynier Wisselpenninck, defendant.

The plaintiff demands payment of 17 schepels of wheat.

The defendant fails to appear, but has ordered the court messenger to acknowledge the debt.

The court condemns the defendant to pay the plaintiff the wheat demanded within the space of six weeks.

Idem, plaintiff, against
2d default Willem Brouwer, defendant.

Rutger Jacobsen, plaintiff, against
2d default Hendrick Claesen, defendant.

Teunis Tomassen, plaintiff, against
1st default Cornelus Hoogen Boom, defendant.

Poulus Cornelussen, plaintiff, against
Hans Carelsen, defendant.

The plaintiff demands delivery of 30 schepels of salt.

The honorable court refers the parties to referees.

[140] Jacob Hendricksen, plaintiff, against Poulus Martensen, defendant.

The plaintiff demands payment of thirty guilders, arising from an attachment of the purchase money of the house of Jacob Neus in the hands of the defendant.

The honorable court orders the defendant to pay the required sum to the plaintiff within the space of six weeks and to recover the amount from Jacob Neus.

Jan Labatie, plaintiff, against
Default Jacob Theunesen, defendant.

Pieter Boudt, plaintiff, against Abraham Carpeyn, defendant.

The plaintiff says that the defendant claims fourteen guilders from him and maintains that he owes him nothing, as he paid the defendant with a half barrel of good beer won in a wager.

The honorable court orders the plaintiff to pay the defendant the aforesaid fourteen guilders according to his confession, as a wager is not accepted in payment before the court.

[141] Ordinary Session held in Fort Orange, April 20 Anno 1660

Present:

La Montagne — Anderies Herpertsen
François Boon — Jan Verbeeck

Jochem Wessels, plaintiff, against Jan van Eeckelen, defendant.

The plaintiff, as attorney for Hans Coenraets, demands payment by the defendant of one hundred and twenty-seven schepels of wheat.

The defendant admits the debt.

The court condemns the defendant as heretofore to pay the aforesaid wheat and orders the plaintiff to hand the judgment to the court messenger to execute the same.

Thoomas Pouly, plaintiff, against Cathalyna Simsons, defendant.

The plaintiff demands payment by the defendant of the sum of two hundred and fifty [guilders], arising from [the purchase of] a horse.

The defendant admits the debt, but says that she has put the matter into the hands of the orphan masters.

The plaintiff demands his rights.

The court, having heard the parties, order the plaintiff to wait until curators of the said estate are appointed.

Jacobus Jansen, plaintiff, against
Default Baltus Jacobsen, defendant.

The plaintiff gives notice of the attachment of the defendant's money in the hands of Thoomas Jansen and requests that the attachment may be declared valid.

The honorable court provisionally issue a writ of attachment and order that the defendant shall be summoned again.

[142] Dirck Teunesen, plaintiff, against
Default Baltus Jacobsen, defendant.

The plaintiff gives notice of the attachment of the defendant's

money in the hands of Thoomas Jansen and requests to be admitted to the conference with others.

Fiat ut supra.

Theunes Theunesen, plaintiff, against

Default Cornelus Hoogen Boom, defendant.

The plaintiff demands payment of twenty-eight guilders in seawan.

The honorable court orders the defendant by default to pay the plaintiff the sum demanded, within the space of 14 days, on pain of execution.

Jacob Thysen, plaintiff, against

2d default Jan Albersen, defendant.

The honorable court, seeing the note executed by the defendant, Jan Albersen, and that referees decided that the defendant must pay the plaintiff the said twenty-six guilders according to the note, hereby confirm the decision of referees and condemn the defendant to pay the said sum, cash, on pain of execution, with the costs of this suit.

Arendt van den Bergh, plaintiff, against

2d default Hendrick Gerritsen, defendant.

Anderies de Vosch, plaintiff, against

1st default Wynandt Gerritsen, defendant.

Jan van Eeckelen, plaintiff, against Michiel Theunesen, defendant.

The plaintiff demands payment by the defendant of 5 schepels of wheat and eight white loaves.

The defendant admits that he owes 4 schepels of wheat and 15 stivers.

The honorable court orders the defendant to pay the sum demanded, the grain at market value, and that within the space of three weeks, on pain of execution.

[143] Jan van Eeckelen, plaintiff, against Cathalina Samsons, defendant.

The plaintiff demands of the defendant the sum of one hundred guilders in seawan.

The defendant admits the debt.

The honorable court order the plaintiff to wait also until curators of the said estate are appointed.

Goosen Gerritsen, plaintiff, against Adriaen Jansen, defendant.

The plaintiff says that the defendant's garden adjoins his and that he is not willing to assist in putting up a board fence.

The defendant says that he is not obliged to put up a board fence.

The plaintiff replies that for want of a good fence he will suffer damage to his trees.

The honorable court, having heard the parties on both sides and considered the matter, order the defendant to fence off his part and portion [of the land] and provide it with such a fence and materials as according to circumstances he shall be able to obtain, in order that his neighbor may remain free from damage.

Cornelus Cornelussen, plaintiff, against
1st default Claes Theunesen, defendant.

[144] Ordinary Session held in Fort Orange, April 27 Anno 1660

Present:

François Boon — Sander Leendersen
La Montagne — Jan Verbeeck
Anderies Herpertsen

Volckert Jansen, plaintiff, against
Default Cornelis Vosch, defendant.

Fop Baerentsen, plaintiff, against
Default Cornelis Vosch, defendant.

The honorable burgomaster, Aldert Anthony, appearing before the court, offers to the poor three beavers which are due to him from Cornelis Vosch, arising from some merchandise which Jan Carstensen, deceased, bought of the burgomaster, and appoints Philip Pietersen his attorney to execute the matter.

Anderies de Vosch, plaintiff, against
1st default Wynandt Gerritsen, defendant.

Daniel Rinckhoudt, plaintiff, against

Default Jan van Hoesem, defendant.
Idem, plaintiff, against
Theunes Tempelier, defendant.

The plaintiff says that the defendant has had his money attached.

The defendant says that he knows nothing about it, but that there is still due him from Harmen Jacobsz, deceased, fl.136 in beavers for goods delivered.

The court declares the attachment not valid and refers the defendant to the curators of the estate of the said Harmen Jacobsz, deceased, to recover the amount of his claim.

[145] Dirckie Martensen, plaintiff, against
Default Poulus Jansen, defendant.

Philip Meyndersen, plaintiff, against Styntie, the wife of Barent Meyndr, defendant.

The plaintiff complains that the defendant called him a thief.

The defendant says that the plaintiff steals her honor and accuses her of fornication.

The plaintiff denies it.

The court orders the parties to produce their evidence on the next court day.

Willem, plaintiff and party attaching, against Baltus Jacobsen, defendant.

The plaintiff gives notice of a certain attachment of the defendant's money in the hands of Thoomas Jansen and requests participation in the conference with other creditors.

The court grants the plaintiff's request.

[146] Extraordinary Session held in Fort Orange, May 1 Anno 1660

Present:

La Montagne — Sander Leendersen
François Boon — Jan Verbeeck
Anderies Herpertsen

In the place of the retiring commissaries, namely, Pieter Hartgers and François Boon, ordinary commissaries, and Dirck

Jansen Croon, extraordinary commissary, according to the resolution of the honorable director general and council of New Netherland, Rutger Jacobsen, Frans Baerentsen and Evert Jansen Wendel have been chosen and confirmed as commissaries from the double number nominated, who, having been summoned by the court, have taken the oath of fidelity as follows:

We, the undersigned, chosen commissaries of the bench of justice of Fort Orange and the village of Beverwyck, promise and swear in the presence of God Almighty that with the help of our colleagues we shall administer true law and justice between man and man and further execute and promote all matters touching justice and government, to the best of our knowledge and ability. Also, that we shall in every way conduct ourselves loyally and faithfully toward the Lords States General of the United Netherlands, the lords directors of the Chartered West India Company and the director general and council of New Netherland, promising furthermore that we shall help to maintain here [147] the Reformed Religion according to God's Word and the regulations of the synod of Dordrecht, and not tolerate publicly any sects. So truly may God Almighty help us.

After having been congratulated, the aforesaid Rutger Jacobsen, Frans Baerentsen Pastoor and Evert Jansen Wendel have this day taken their seats.

The retiring magistrates are discharged from their oaths and thanked for their good services while holding office, with promise that with respect to their honorarium of fl. 450 a year they will at the opportune time and when the treasury is well provided receive consideration and be paid the same as the present and future magistrates.

After deliberation it is resolved and decided that the annually retiring magistrates for the space of one year after their discharge, shall be exempt from the ordinary duties of the burgher guard. Nevertheless, if need be, they shall, when commanded to do so, be held to perform all extraordinary round and guard duties

the same as other burghers, pursuant to the resolution taken and confirmed by the honorable director general and council of New Netherland.

[148] Extraordinary Session held in Fort Orange, May 25 Anno 1660

Present:

La Montagne — Rutger Jacobsen
Anderies Herpertsen — Frans Baerentsen
Sander Leendersen — Evert Jansen Wendel
Jan Verbeeck

Volkert Jansen, plaintiff, against Cornelis Vosch, defendant.

The plaintiff demands payment by the defendant of eighty-five guilders and ten stivers, for beer received.

The defendant admits the debt, but says that he has a claim against the plaintiff's partner.

The plaintiff replies that the alleged claim has no connection with the present action and that the defendant must therefore address himself to his partner.

The court condemns the defendant to pay the required sum according to his promise to the plaintiff within the space of one month and meanwhile to address himself to the aforesaid partner.

Philip Hendricksen, plaintiff, against Jan Adriaensen, defendant.

The plaintiff demands reparation of honor as heretofore on the 27th of April last, on account of abusive language, to wit, because the defendant called the plaintiff a thief and accused him of having stolen maize.

The court adjourns the case to the next court day.

Idem, plaintiff, against Baerent Meyndersen, defendant.

The plaintiff demands of the defendant payment of eighty-four guilders for beer received.

The court condemns the defendant to pay the sum demanded within the space of six weeks.

[149] Itien Adriaensen, plaintiff, against Elsien Hendricksen, defendant.

The plaintiff says that the defendant called her a whore and demands reparation of honor.

The parties having been heard, the court refers them to the next court day to bring in their evidence.

Elsjen Tierx, plaintiff, against Annetie van Geringen, defendant.

The plaintiff says that the defendant called her a whore and produces a deposition of three witnesses.

The defendant denies that she said it, but says that the plaintiff called her a whore.

The court orders the defendant to bring further evidence on the next court day.

Philip Hendricksen, plaintiff, against Harmen, the mason, defendant.

The plaintiff demands of the defendant payment of fifty-eight guilders for beer received.

The defendant's wife, appearing, admits the debt and produces a counter claim of three and one half beavers for wages.

The honorable court, having heard the parties, order them to settle with each other.

Jacobus Jansen, plaintiff, against Baltus Jacobsen, defendant.

The plaintiff demands of the defendant payment of sixty-four guilders and six stivers.

The defendant admits the debt.

The court refers the parties to the previous judgment of the 20th of April last.

Willem Teller, plaintiff, against Baltus Jacobsen, defendant.

The plaintiff demands payment by the defendant of three beavers.

The defendant admits the debt.

The court refers the parties to the previous judgment.

[150] Jurriaen Theunesen, plaintiff, against

1st default Daniel Rinckhoudt, defendant

1st default Daniel Rinckhoudt, plaintiff, against
Pieter Jacobsen Bosboom, defendant.
Arent van den Bergh, plaintiff, against
2d default Hendrick Gerritsen, defendant.
Claes van den Bergh, plaintiff, against the wife of Carsten Fredr. defendant.

The plaintiff says that the defendant bought linen of his wife against his will and without his knowledge.

The defendant says that she could not know that the plaintiff's wife sold it against the will and without the knowledge of her husband, but that she said that she did it because of need.

The court, having heard the parties, condemn the defendant to return the claimed linen to the plaintiff, provided that the plaintiff return the money received.

Claes van den Bergh, plaintiff, against Poulus Martensen, defendant.

The plaintiff demands that the defendant deliver the key of his house in order to occupy the same.

The honorable court orders the defendant to give the plaintiff possession of the aforesaid house, provided that the defendant pay as soon as the attachment by the plaintiff is vacated.

Asser Levi, plaintiff, against Wynandt Gerritsen, defendant.

The plaintiff demands payment for seven boards, for which he produces a note and claims damages for house rent and board which he spent here during the period of one month.

The court order the defendant to pay the plaintiff for the remaining seven boards. As to the alleged expenses, the parties are referred to two referees.

[151] Andries de Vos, plaintiff, against Wynandt Gerritsen, defendant.

The plaintiff asks payment of the defendant for 46 boards.

The defendant denies the debt.

The honorable court orders the plaintiff to produce his evidence on the next court day according to his promise.

Harmen Bastiaensen, plaintiff, against Wynandt Gerritsen, defendant.

The plaintiff demands payment of the defendant for 178 boards.

The defendant denies the debt.

The court orders the plaintiff to produce his evidence on the next court day.

Gillis Pietersen, plaintiff, against Baerent Meyndersen, defendant.

The plaintiff demands payment of house rent and says that the defendant offered him ten beavers.

The defendant denies that he made any contract of lease.

The court refers the parties to referees.

The wife of Klaes Jansen, plaintiff, against Hans Coenraets, defendant.

The plaintiff demands payment by the defendant of two beavers.

The defendant admits the debt.

The honorable court condemns the defendant to pay the plaintiff the said beavers in cash.

[152] The honorable court having read the proceedings at the request of the officer of Fort Orange and the village of Beverwyck against the person of Immetie, the wife of Evert, the baker, and by plurality of votes having adjudged the conclusion of the said officer well founded that the said Immetie acted directly contrary to the ordinance contained in the Ordinances of the city of Amsterdam, folio 162, they have therefore condemned, as they do condemn the said Immetie hereby, in view of the opposition and contempt of court shown by her, to appear before the court and to ask God and the court forgiveness, not to do any business for six weeks and to pay a fine of two hundred and fifty guilders, with the costs of the trial, she to remain in the fort until the payment of the judgment. Done in Fort Orange, the 25th of May Anno 1660.

Gerrit Swardt, schout of the colony of Rensselaerswyck, gives notice of an attachment in the sum of twenty-five guilders levied on money in the hands of La Montagne, belonging to Jan Anderiesen de Graef.

[153] To the honorable the Commissary and Magistrates of Fort Orange and the village of Beverwyck

Show with due reverence and respect, the undersigned persons, that they, the petitioners, are again awaiting the coming trading season and notice that the Christians are again about to run into the woods as brokers in order by subreptive and improper ways to get the trade entirely into their hands, which can only tend to the general decline and utter ruination of Fort Orange and the village of Beverwyck; yes, what is more, the said running in the woods is accompanied by many excessive and shameful irregularities for which God the Lord would punish such a place, all of which has no other motive than greed. Therefore, they, the petitioners, by a majority of votes and signatures to this petition, request your honors, who sit there as good mediators, that these calamities may be timely prevented in the interest of the peace and welfare of this community and its inhabitants, but that every one may be free to employ Indian brokers. Whereupon they await a favorable and marginal apostil. Which doing, etc. Imploring, etc. In and upon everything, etc. Underneath was written: Your honors' subjects; and was signed: Volkert Jansz, Jacob Schermerhooren, Philip Pietersen, Leendert Phlipsen, the mark of Jan van Aken, Jan Thoomasz, Aernout Cornelissen, Gerrit Slechtenhorst, Jan Mangelsen, Pieter van Alen, Mathias Jansen, Dirck Jansen Croon, Gysbert Jansen, Abraham Staets, Lambert Albersen, Hans Hendricksen, Theubis Cornelissen, Willem Teller, Ariaen Gerritsen, Carsten Fredericksen, Baerent Meyndersen, Willem Brouwer, Baerent Jansen, Lourens van Alen and Davit Schuyler.

[154] Extraordinary Session held in Fort Orange, ultimo May Anno 1660

Andries Herpertsen is of opinion that neither Indians nor Christians ought to run in the woods as brokers.

Sander Leendersen agrees with the above.

Jan Verbeeck adheres to the former resolution, to wit, that the matter is to be regulated according to the vote of the majority of the community.

Frans Baerentsen is of opinion that inasmuch as the community has been legally summoned to express their opinion in the matter of the trade, it is to be regulated in accordance with the vote of the majority and they shall have the preference.

Evert Jansen Wendel is of opinion that neither Indians nor Christians ought to run in the woods as brokers.

La Montagne is of opinion in this difficult matter, where there are two directly opposite parties, one asking to be allowed to employ Indian brokers and no Christians, and the other Christians and no Indians, that, according to the ordinance issued about the said matter in the year 1654 and since then published here every year, no brokers of either nation shall be employed, but that the Indians unsolicited shall be allowed to trade their beavers where they please.

[155] The Commissary and Magistrates of Fort Orange and the village of Beverwyck, being assembled upon the repeated complaints of the community about the trade, have by majority vote decided, as they hereby decide, provisionally for this year that no brokers, whether Christians or Indians, shall be employed, but that the Indians without being called or solicited shall be allowed to trade their beavers where they please. Furthermore, permission is given to every one to go on the hill, as far up as the houses stand, to inquire where the Indians wish to go, and likewise to the strand where the Indians arrive, under penalty of a fine of three hundred guilders and suspension of their business for the period of two months for those who are found to have acted contrary hereto, to be executed without any exception or regard of persons. And in the absence of the officer another shall be substituted in his place to maintain this ordinance. Done in Fort Orange, ultimo May 1660.

[156] Ordinary Session held in Fort Orange, June 1 Anno 1660

Present:

La Montagne	Sander Leen[dersen]
Anderies Herpertsen	Evert Jansen Wendel

Anderies de Vosch, plaintiff, against Wynandt Gerritsen, defendant.

The plaintiff demands payment for seventy-four boards and produces as witness Cornelis Theunesen van Slyck, who says that the defendant agreed to pay the debt.

The honorable court, having heard the parties, condemn the defendant to pay for the boards in question immediately.

Abraham Carpeyn, plaintiff, against Immetie, the wife of Evert, the baker, defendant.

The plaintiff complains that the defendant took linen and other goods from the house of Lambert van Valkenb[urg] that belonged to him.

The defendant says that she took it on account of debt.

The court condemns the plaintiff to pay the defendant and also orders the defendant to return the linen.

Harmen Bastiaensen, plaintiff, against Wynandt Gerritsen, defendant.

The plaintiff demands of the defendant [payment for] one hundred and seventy-eight boards, as on the preceding court day, being the 25th of May, claiming that he signed a note for them.

The defendant says that the debt was incurred by Abraham Vosburgen and the defendant, being both partners, and maintains that he is to pay but one half.

The court condemns the defendant to pay the plaintiff [for] the said boards, according to his note, within the time of six weeks, and to apply for reimbursement to his partner.

[157] Harmen Thoomassen, plaintiff, against Willem Brouwer, defendant.

The plaintiff demands payment of sixty guilders.

The defendant admits the debt.

The court refers the parties to referees to go over the accounts and settle the matter.

Gillis Pietersen, plaintiff, against Baerent Meyndersen, defendant.

The plaintiff asks as before on the 25th of May payment of the house rent and says that the defendant offered him ten beavers.

The defendant denies that he made the offer.

The court condemns the defendant to pay the plaintiff eight beavers.

Baerent Albersen, plaintiff, against the widow of Abraham Vosburgen, deceased, defendant.

The plaintiff demands payment of eighty guilders, according to the contract made with her husband, deceased.

The defendant says that she has no knowledge of it.

The court orders the plaintiff to produce proof on the next court day.

Baerent Albersen, plaintiff, against Lowies Cobesen, defendant.

The plaintiff demands the return of a canoe which he loaned to the defendant.

The defendant admits that he borrowed the canoe.

The court orders the parties to agree with each other.

Femmetien Albers, plaintiff, against Abraham Carpeyn, defendant.

The plaintiff demands payment for a half barrel of good beer.

The defendant denies the debt.

The court orders the plaintiff to produce proof.

Ester Fonda gives notice of an attachment in the sum of one hundred and sixty guilders in the hands of Daniel Rinckhout, belonging to Femmetien Albers.

[158] Ordinary Session held in Fort Orange, June 8, 1660

Present:

La Montagne	Rutger Jacobsen
Anderies Herpertsen	Frans Baerentsen
Jan Verbeeck	Evert Wendel

Sander Leendersen

Albert Gysbertsen, plaintiff, against Maria Goosens, defendant.

The plaintiff says that the defendant called him a thief and demands reparation of honor.

The defendant denies that she said it.

The parties are ordered to appear on the next court day.

Jurriaen Theunesen, plaintiff, against Cornelis Woutersen, defendant.

The plaintiff demands payment of sixty guilders.

The defendant admits the debt.

The honorable court condemns the defendant to pay the sum demanded to the plaintiff within the space of 14 days.

Jan van Eeckelen, plaintiff, against Dirrick Smidt, defendant, against whom an attachment has been levied.

The plaintiff says that he delivered to the defendant and shipped on board his yacht one hundred and thirty boards to be delivered to Nicolaes Meyer,[1] who still claims fifty-two boards which the defendant has not delivered.

The defendant denies that he received as many boards from the plaintiff, claiming that he received only seventy-eight.

The honorable court refers the parties to the burgomasters and schepens of the city of Amsterdam in New Netherland, the plaintiff retaining his action against the debtors who put the boards on board. Meanwhile the attachment against the defendant is vacated.

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[1] Nicolaes de Meyer.

[159] Femmetie Alberts, plaintiff, against Abraham Carpeyn, defendant.

The plaintiff demands payment for a half barrel of good beer which the defendant bartered away while the plaintiff was at the Manhattans.

The defendant denies the debt.

Before the court appeared Lambert van Neck and Cornelis Theunesen Bosch, who declared that the defendant made a great noise and public disturbance in the house of Femmetien Albers, during her absence.

The honorable court condemn the defendant to pay the plaintiff for the half barrel of good beer and in addition to pay a pound Flemish for the benefit of the poor, on account of his abusive language.

Cornelis Cornelissen, plaintiff, against the wife of Claes Theunesen, defendant.

The plaintiff demands payment of sixty guilders.

The defendant admits the debt, but says that he gave an order for his indebtedness on Eldert Gerbertsen.

Daniel Rinckhout, plaintiff, against

Default Jan Fransen, defendant.

Cornelis Theunesen and Jacob Thysen, plaintiffs, against Willem Teller, defendant.

The plaintiffs say that the defendant called them rabble and injured their reputation. They demand reparation of character.

The defendant asserts that he said that it would be a miserable thing if I or the common people or rabble should rebel against the law of the public authorities or make a law against the authorities.

[160] Lambert van Neck and Hendrick Roose Boom, appearing before the honorable court at the request of Cornelis Theunesen, say that they heard Willem Teller say: "If the principals of this place listened to this rabble, they would be crazy"; without, however, mentioning any names.

The court appoints the next court day for the parties to institute their proceedings.

Baerent Albersen, plaintiff, against
Default Geertruy Vosburgen, defendant.

Jan Labatie, plaintiff, against Jacob Theunesen, defendant

The plaintiff demands the return of a saddle and bridle delivered to the defendant.

The defendant says that the same are in the Esopus and are kept by Thoomas Chambers and he admits the loan.

The honorable court condemns the defendant to return the aforesaid saddle and bridle to the plaintiff in as good condition as he received them.

Theunes Spits Bergen,[1] plaintiff, against Jaques Thysen, senior, defendant.

The plaintiff demands of the plaintiff payment of one hundred and ninety-seven guilders for boards delivered.

The defendant admits the debt.

The honorable court condemns the defendant to pay the plaintiff the sum demanded, the latter to receive the first rent of the defendant's house. The defendant mortgages and pledges his house as security.

Jan van Eeckelen, plaintiff, against
1st default Willem Brouwer, defendant.

Gerrit Swardt, plaintiff, against
Default Claes Beever, defendant.

[161] Extraordinary Session held in Fort Orange, June 12, 1660

Present:

Anderies Herpertsen Jan Verbeeck
Sander Leendersen

La Montagne, in his capacity of officer, plaintiff, against Jan Harmsen, defendant.

The plaintiff complains that the defendant, against the ordinance of the court of Fort Orange and the village of Beverwyck,

[1] Teunis Cornelissen van der Poel, *alias* Spitsenberg, or Spitsbergen.

has ventured to go into the woods and has brought with him Indians with beavers.

The defendant acknowledges that he has been in the woods to seek an Indian who had robbed him, but not for the purpose of attracting the Indians with beavers.

The plaintiff requests that the defendant be examined on the following interrogatories:

Interrogatory of Jan Harmsen conducted at the request of the officer

1 Whether on the tenth of this month he has not been in the woods, on the Maquas path?	Answer: Yes.
2 Whether he was not found there by the soldiers with a gun on his shoulder?	Answer: Yes.
3 Whether in the woods he did not speak to some Indians who had beavers with them?	Answer: Yes.
[162] 4 Whether he did not urge and request the said Indians to trade their beavers at his house?	Answer: No.
5 Whether he did not acquire the beavers of some of the said Indians by barter?	Answer: Says he does not know.
6 Whether, in coming out of the woods, he did not enter [the village] by one of the two gates on the hill?	Answer: No, but through the gate near long Maria.

To which answers Jan Harmsen refuses to swear, he refusing likewise to sign the statements made by him.

The honorable court respite the defendant until the next court day and order him to obtain at once a copy of his answers to the interrogatory to swear to it at that time.

[163] Extraordinary Session held in Fort Orange, June 15 Anno 1660

Present:

Anderies Herpertsen	Frans Baerentsen
Jan Verbeeck	Evert Wendel

The officer, plaintiff, against Jan Harmsen, defendant.

The plaintiff complains that the defendant contrary to the ordinance of the court has ventured to go into the woods and to fetch Indians with beavers, as appeared on the preceding court day by examination of the defendant on interrogatories, to which answers the defendant refuses to swear. The honorable plaintiff therefore demands that the defendant shall be punished according to the ordinance, citing in order to expedite justice the ordinances of Amsterdam, folio 121, article 11, in regard to the taking of an oath, which reads as follows: "In case the defendant refuses to take the oath, he shall be condemned as [in effect] confessing and acknowledging the charges against him." And in conformity with the ordinance of the said court, he [demands that the defendant] be fined three hundred guilders and in addition be suspended from his business for the period of two months; with costs.

[164] The honorable officer, plaintiff, against Volkert Jansen, defendant.

The plaintiff says that the defendant has presumed to send Indian brokers into the woods, contrary to the ordinance of the honorable court.

Jacob Schermerhooren, appearing before the court, declares that he saw an Indian go to the hill with a white blanket around his body, which said Indian brought back with him two Indians with beavers and entered the house of Volkert Jansen. Immediately after he saw the same Indian again go to the hill and bring back another Indian with beavers.

Gerrit Slechtenhorst's statement conforms to the above.

Goosen Gerritsen and Gerrit Bancken, appearing before the court, declare that the Indian said that he was sent out by Volckert Jansen.

Philip Pietersen declares that he saw an Indian go to the hill and return from the hill with another Indian and that he asked him for whom he went out to get Indians and that he answered for Volkert Jansen.

The defendant has purged himself by oath, to wit, that he neither kept nor sent out any brokers, whether directly or indirectly.

Idem, plaintiff, against Willem Brouwer, defendant.

The plaintiff says and complains that the defendant has presumed to send brokers into the woods.

The defendant denies that he sent out any brokers.

[165] Lourens van Alen, Cornelus Bogardus and Daniel Jansen declare that they saw the boy of Willem Brouwer coming down the hill with two Indians who had beavers with them and say that they went into Willem Brouwer's house about ten o'clock in the evening.

The defendant purges himself by oath.

The officer, plaintiff, against Jan van Aken, defendant.

The plaintiff complains that the defendant contrary to the ordinance of the court has sent brokers into the woods.

The defendant denies that he sent any brokers into the woods.

Jan Thoomassen declares that he asked the Indian where he was going, whereupon he replied: "To the smith's."

Jacob Schermerhooren, Philip Pietersen and Gerrit Bancken declare that the aforesaid Indian went into the house of Jan van Aken.

The defendant purges himself under oath.

Idem, plaintiff, against Daniel Jansen, defendant.

The plaintiff says that the defendant sent brokers into the woods, which is contrary to the latest ordinance of the court.

Jacob Schermerhooren, Anderies Herpertsen and Hendrick Rooseboom declare that Indians with beavers, coming down the

hill, went to the house of Daniel Jansen. Immediately after an Indian with a blanket walked up the hill and did not come back. They claim that he was a broker.

[166] The defendant admits that he gave a blanket to the Indian, but not for purposes of brokerage.

The honorable court allows the defendant time until the next court day to purge himself under oath.

The officer, plaintiff, against Jurriaen Jansen, defendant.

The plaintiff says that the defendant sent brokers into the woods, which is contrary to the latest ordinance of the court.

The defendant denies having sent brokers into the woods.

Gerrit Bancken and Gysbert Jansen declare before the court, at the request of the officer, that an Indian, who the day before had traded at Jurriaen Jansen's, again came with other Indians down the hill and brought them to Jurriaen Jansen.

The defendant admits that the Indian who the day before had traded with him, came again with other Indians with beavers.

The defendant purged himself under oath.

Idem, plaintiff, against Jan Thoomassen, defendant.

The plaintiff says that the defendant sent brokers into the woods.

The defendant denies it and purges himself under oath.

Idem, plaintiff, against Jacob Thysen, defendant.

The plaintiff says that the defendant sent brokers into the woods.

[167] Garrit Slechtenhorst, Hans Hendricksen and Willem Jansen Schut declare that on the 14th of this month they saw an Indian coming down the hill with other Indians who had beavers with them. They went to the house of Jacob Thysen and the broker remained in the said house while the Indians returned to the hill after having left their beavers at the house of Jacob Thysen.

The defendant denies it and has purged himself under oath.

Adriaen Jansen from Leyden, plaintiff, against Wynandt Gerritsen, defendant.

The plaintiff, as attorney of the widow of Abraham Vosburgen, deceased, demands delivery of a saw mill, according to the contract made by referees on the 16th of March, by virtue of a compromise.

The defendant says that he is not bound to deliver the mill before and until he has had satisfaction from the plaintiff.

The honorable court orders that the defendant shall make delivery according to the contract and inventory thereof, and that from this date the defendant retains his alleged claim against the widow. In case of refusal, he shall forfeit twenty-five guilders for each day's delay until the delivery of the said mill.

[168] At the request of the community, the court has provisionally granted to all burghers and inhabitants of this village of Beverwyck the right to employ Indian brokers, without the employment, however, of any Dutch people, under the penalty mentioned in the ordinance; nor shall they be allowed to send any presents into the woods, which presents it hereby declares subject to confiscation, one half for the benefit of the officer and the other half for the benefit of the informer. Actum in Fort Orange, the 15th of June 1660.

Extraordinary Session held in Fort Orange, June 17, 1660

Jacob Thysen, Cornelis Theunesen, Gerrit Slechtenhorst and Lambert van Neck, appearing before the court, request that the trade may be thrown open, to wit, that Dutch as well as Indian brokers may be employed.

[169] Copy of the petition concerning the trade, on which the following apostil is granted:

> To the Honorable Gentlemen, the Commissary and Magistrates of Fort Orange and the village of Beverwyck

Show with due reverence and respect, the undersigned petitioners, that they have heard that on the 25th of May last of the year 1660, a petition was presented in regard to the trade by some principals who, being moved by excessive greed and

jealousy, make themselves believe and imagine that they thereby increase the trade. This is a pretext invented for no other purpose than to divert the trade to themselves and inspired by greed, as above stated. But considering that many a poor person could earn a beaver and the community would be better served, it has seemed to the petitioners, representing a majority of the people, that as an extra precaution it would be well to submit to your honors in proper form what is well known to all the inhabitants, for the petitioners hope that your honors in accordance with your civic duty and the privileges of the praiseworthy fatherland will not tolerate that the community be oppressed, considering that the least [of the citizens] has as much right as the most [important one], since the country must exist by them, and they, the petitioners, can prove that they are not rabble, as they were called yesterday, but live decently. The petitioners therefore conclude and request that every one may be allowed to do the best he can with Christians and with Indians, [170] in order that he help himself with honor and to the best of his ability, every one to enjoy what belongs to him, to love his neighbor and to do what shall tend to the salvation of his soul. Whereupon the petitioners expect a favorable marginal apostil. Actum the 27th of May Anno 1660, in Beverwyck. Underneath was written: Which doing, etc. Praying in and upon everything, etc. Your honors' willing and affectionate subjects: Was signed: Jan Dircksen van Breemen, Arent Jansen van Hoeck, Jan Harmsen, Rem Jansen, Jacob Thysen van der Heyden, Cornelis Theunesen Bosch, Daniel Verveelen, Jacob Jansen, the mark of Lambert van Valkenburch, Pieter Loockermans, Jan Jansen van Ekelen, the mark of Meyndert Fredricksen, Thoomas Pouw[elsen], the mark of Jan Fransen, the mark of Symon Volkerts, the mark of Theunes Cornelissen, the mark of Willem Fredricksen, the mark of Jan Harmsen, the mark of Mattheus Abrahamsen, the mark of Jan Cornelissen, Pieter Loockermans, junior, the mark of Jochem Ketteleyn, Jacob Loockermans, Willem Jansen

Schut, the mark of Reynier Albertsen, Jan Vinhagel, Hendrick Anderiesen, Anderies de Vosch, Jan Schekel, Pieter Winnen, Jan Cornel[issen], Jurriaen Theunesen, Daniel Rinckhout, Jacob van Laer, Cornelus Bogardus, Pieter Adriaensen, Claes Marrechael, [171] Philip Hendricksen, Adriaen Appel, Symon Symonsen, Baerent Meyndersen, the mark of Wouter Albersen, Gillis Pietersen, Hendrick Rooseboom, Claes Jacobsen, Cornelis Vosch, Willem Jansen Stol and Wynandt Gerritsen vande Poel.

The honorable court having read a petition presented to their honors by Jacob Thysen, Gerrit Slechtenhorst and Lambert van Neck, as representatives of eighty inhabitants of this village of Beverwyck, who signed the petition, whereby they earnestly request that the Dutch may be allowed to go into the woods as brokers, which, although of dangerous consequence, can not be prevented without causing greater mischief. It is therefore left to the discretion of the petitioners to do or not to do it, the court protesting meanwhile their innocence of all mischief that may result therefrom, the more so as some of the petitioners have said that they would do it anyway, whether it was permitted or not.

[172] Proposal made by the Maquas in Fort Orange, the 26th of June Anno 1660

Present:

La Montagne — Evert Wendel
Rutger Jacobsen — Frans Baerentsen
Jan Verbeeck — Anderies Herpertsen
Sander Leendersen

They say, first, that the Dutch when they are in the woods to fetch Indians beat them severely with fists and drive them out of the woods and they therefore ask who of the three nations are to be the masters, the Maquas, the Sinnekus, or the Dutch? They say that it might develop into the same trouble as between the Dutch and the Indians in the Esopus.

They request that no Dutchmen with horses or otherwise may be allowed to roam in the woods to fetch the Indians with beavers, because they maltreat them greatly and presently ten or twelve of them surround an Indian and drag him along, saying: "Come with me, so and so has no goods," thus interfering with one another, which they fear will end badly.

They ask us to forbid the Dutch to molest the Indians as heretofore by kicking, beating and assaulting them, in order that we may not break the old friendship which we have enjoyed for more than thirty years, and if it is not prevented they will go away and not be seen by us anymore. Whereupon they offered 7½ fathoms of seawan.

[173] La Montagne advises to give the Maquas for answer that we had never heard that any violence was done to them in the woods and that they had never complained of it, but now that we have heard their complaints, we promise them to do our best to prevent it and if they can report the persons, we shall punish them. As to the Dutchmen who roam in the woods, we shall forbid them to do so, but if no Maqua brokers were employed, it would be easier to forbid it to the Dutch and then the Indians could exchange their beavers unmolested wherever they pleased.

Anderies Herpertsen advises to give the Indians for answer that we shall write about it to the Director General, as we did not know that the Dutch did them any harm, and if it happened that any harm was done to them, they should report it and that the guilty persons would be punished.

Jan Ver Beeck advises to give the Indians for answer that we shall forbid the Dutch hereafter to roam in the woods and if they are molested in the woods by the Dutch that they must make complaint thereof to the officer.

[174] Sander Leendersen advises to give the Indians for answer that we shall forbid the Dutch henceforth to roam in the woods.

Rutger Jacobsen advises, in order to prevent mischief, that no Dutchmen be allowed to roam in the woods to fetch Indians, but that Indians be employed, as the Indians earnestly request and warn us against evil consequences in their proposals, and also to notify the Indians that the Dutch shall hereafter be forbidden to roam in the woods.

Frans Baerentsen Pastoor advises to notify the Indians in answer to their complaint and in order to avoid all mischief that from now on no Dutchmen shall be allowed to roam in the woods.

Evert Jansen Wendel agrees with the above and, in view of the complaint of the Maquas which predicts a bad ending, advises that they be notified that no Dutchmen shall be allowed to roam in the woods any more.

[175] The honorable court of Fort Orange and the village of Beverwyck, having heard the earnest complaints of the Maquas, being some sachems of the same, about the ill behavior toward them on the part of the Dutch who on horseback go up and down in the woods and not only take away their beavers by force and carry them, leaving the Indians to run after them, but also knock and throw them around, as is shown more fully in the complaint of the said Maquas made to the court, which assaults and insults are contrary to the welfare and the peace of this place and apparently would create war between us and the Maquas; therefore, their honors consider it their official duty to provide therein and have decided, as they decide hereby, to forbid all inhabitants of this place to go roaming in the woods as brokers to attract the Indians with beavers, under penalty of a fine of three hundred guilders and the suspension from the trade for this year. Thus done in the session held at Fort Orange on the 28th of June Anno 1660.

[176] Ordinary Session held in Fort Orange, June 30 Anno 1660

Present:

La Montagne — Jan Verbeeck
Anderies Herpert [sen] — Evert Wendel
Frans Barentsen

Albert Gysbertsen, plaintiff, against Maria Goosens, defendant.

The plaintiff demands reparation of character as the defendant called the plaintiff a thief.

The defendant denies that she said it, as far as she knows, but on the contrary alleges that the plaintiff called her a whore, a pig and a church thief.

The plaintiff produces an affidavit of two witnesses.

The honorable court orders the defendant to produce her witnesses on the next court day.

Cornelis van Sterrevelt, plaintiff, against Abraham Carpeyn, defendant.

The plaintiff demands payment of seven guilders, which he has caused to be attached in the hands of Harmen, the mason.

The defendant admits the debt.

The honorable court declares the attachment valid.

Theunes Theunesen, plaintiff, against Anderies Herpertsen, defendant.

The plaintiff says that the defendant offered himself as surety for the person of Cornelis Pot for the sum of twenty-eight guilders.

The defendant admits the debt.

The court orders the defendant to pay the plaintiff the sum demanded within the period of six weeks.

[177] Seeger Cornelissen, plaintiff, against Jan van Aken, defendant.

The plaintiff demands payment of three beavers for twenty sleigh loads of manure,

The defendant admits the debt.

The court orders the defendant to pay the beavers cash.

Master Gysbert van Imborch, plaintiff, against Jan Meyndersen, defendant.

The plaintiff demands payment of five beavers for surgeon's fees in treating a gun shot through the arm.

The defendant acknowledges the treatment of the wound and with it the debt.

The honorable court orders the defendant to pay the plaintiff the beavers demanded within the space of six weeks.

Pieter Bosboom, plaintiff, against Daniel Rinckhoudt, defendant.

The plaintiff says that the defendant bought his cart and horse and demands that the purchase shall hold good.

The defendant admits that be bought the horse.

The court condemns the defendant to pay for the cart and horse and declares the purchase valid.

Daniel Rinckhoudt, plaintiff, against the wife of Jan Fransen, defendant.

The plaintiff demands payment of twenty-two beavers.

The defendant denies that he owes so much.

The court adjourns the case to the next court day.

[178] Tierck Claesen, plaintiff, against the wife of Jan Fransen, defendant.

The plaintiff demands payment by the defendant of five beavers, for which she became surety.

The defendant denies the debt and says that they settled with each other.

The court adjourns the case to the next court day and orders the parties to obtain a copy of the award of arbitrators who sat more than two years ago to decide the matter at issue between the parties.

Cornelis Wynkoop, plaintiff, against

Default. Harmen Bastiaensen, defendant.

The plaintiff gives notice of the attachment of 3 beavers in the hands of Frans Baerentsen, belonging to the defendant.

The honorable court provisionally declares the attachment valid.

Nicolaes Maier, plaintiff, against Dirckien Harmensen, defendant.

The plaintiff demands payment of ninety-three beavers and six guilders in seawan.

The defendant declares that she does not know how much she owes.

The honorable court condemns the defendant to pay within the space of four weeks as upon liquidation and adjustment of accounts shall be found necessary, with costs.

[179] Adriaen Jansen from Leyden, plaintiff, against Wynant Gerritsen, defendant.

The plaintiff, as attorney for the widow of Abraham Vosburgen, deceased, complains that he can get no fulfilment of the contract and inventory according to the judgment rendered on the preceding court day.

The honorable court orders the marshal from this day, according to his commission, to execute the judgment and to take out of the defendant's house the saws and other tools that may serve to satisfy the inventory. Furthermore, Pieter Meesen and Reinier Wisselpenninck are authorized as impartial men to inspect the saw mill and after inspection to make a report of its fitness to be used for sawing. And all that shall be lacking shall be repaired at the expense of the defendant.

The officer, plaintiff, against Wynant Gerritsen, defendant.

The plaintiff complains and says that the defendant has greatly slandered the honorable court by saying that their honors had rendered a false judgment. He produces an affidavit of three witnesses.

The defendant denies that he said it and says that he can produce other testimony.

The honorable court orders the defendant to bring proof of his assertion on the next court day.

[180] Pieter Meesen, plaintiff, against
Default Philip Hendricksen, defendant.

The officer, plaintiff, against
Default Klaes Beever, defendant.

Idem, plaintiff, against
Default Jan Gouw and Carel Jansen, defendants.

The wife of Jan Albers, plaintiff, against Witten Hendricksen, defendant.

The plaintiff demands payment of eight guilders in seawan for a pair of shoes.

The defendant admits the debt.

The honorable court orders the defendant to pay the plaintiff the sum demanded.

The wife of Jan Albers, plaintiff, against Femmetien Albers, defendant.

The plaintiff demands of the defendant payment of six guilders and eleven stivers in seawan.

The honorable court orders the defendant to pay the plaintiff the sum demanded.

[181] Ordinary Session held in Fort Orange, July 13, 1660

Present:

La Montagne — Frans Baerentsen
Andries Herperts — Evert Wendel
Jan Verbeeck

Albert Gysbertsen, plaintiff, against
Default Maria Goosens, defendant.

The honorable court having seen that the defendant does not appear, orders the defendant to produce her evidence on the next court day on pain of being deprived of her right.

Cornelis Wynkoop, plaintiff, against Pieter Jacobsen Bosboom, defendant.

The plaintiff demands payment of six beavers for a piece of

oats sold to him, which said money in the hands of Daniel Rinckhout he has attached.

The defendant admits the debt.

The honorable court declare the attachment valid.

Idem, plaintiff, against

2d default Harmen Bastiaensen, defendant.

Jan van Eckelen, plaintiff, against

Default Jacob Teunesen and Willem Brouwer, defendants.

Pieter Meesen, plaintiff, against Philip Hendricksen, defendant.

The plaintiff says that the defendant has taken over [the obligation] on the part of Gysbert Philipsen, deceased, to pay the sum of twenty-three beavers.

The defendant denies that he took over the debt, but says that he remained surety for Jan [1] in Katskil.

The honorable court orders the plaintiff to produce his evidence on the next court day.

[182] Arendt vanden Bergh, plaintiff, against Hendrick Gerritsen, defendant.

The plaintiff demands payment of three beavers.

The defendant having failed to appear for the third time is condemned by default by the honorable court to pay the plaintiff the beavers demanded.

Reynier Rycken, plaintiff, against Willem Jansen Stol, defendant.

The plaintiff as attorney for Wouter Hendricksen Schoonhooven, residing at Amsterdam in Holland, demands the sum of one hundred guilders in Holland money and in addition half the gain made with the said money and produces a note to that effect.

The defendant's wife appearing before the honorable court says that she knows nothing of the said debt, but acknowledges that the note is in the hand[writing] of her deceased husband.

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[1] Jan Andriessen, or Anderson, the Irishman.

The parties having been heard, the honorable court, seeing the imperfectness of the note and the exception taken by the defendant on account of his inability to pay, and the fact, as he says, that he has received nothing from her [former] husband, refer the parties to referees to be chosen respectively with the consent of the plaintiff in order to settle the matter to the best of their knowledge.

Idem, plaintiff, against Willem Martensen, defendant.

The plaintiff demands of the defendant payment of one hundred and twenty-five guilders, seven stivers, in beavers, the same to be put on board free and without expense, and produces a note thereof.

The defendant admits the debt and offers to pay the same in Holland upon sufficient security.

The honorable court having heard the parties condemn the defendant to pay the plaintiff the sum demanded in beavers within the space of eight days.

[183] Goovert Loockermans, plaintiff, against Roelof Swardtwoudt, defendant.

The plaintiff demands payment of one hundred and ninety guilders in beavers according to the bond and mortgage which he produces before the honorable court.

The defendant admits the debt and requests delay.

The honorable court, having heard the parties, order the defendant to pay the plaintiff the sum demanded according to the bond within the space of eight days.

Dirck Jansen Croon, plaintiff, against Sander Leendersen, defendant.

The plaintiff demands payment of seventy-five beavers and 30 beavers interest on the said sum.

The defendant admits the debt and promises to pay as soon as possible.

The honorable court condemn the defendant to pay the plaintiff the sum demanded within the space of three weeks on pain of execution.

Idem, plaintiff, against
Default Wynandt Gerritsen, defendant.
Idem, plaintiff, against
Default Jan Michielsen, defendant.
Willem Telier, plaintiff, against
Default Cornelis Theunesen and Jacob Tysen, defendants.

[184] Daniel Verveelen, plaintiff, against Lambert van Valckenburgh, defendant.

The plaintiff [demands] of the defendant payment of twenty guilders in beavers.

The defendant admits the debt.

The court orders the defendant to pay the plaintiff the sum demanded in beavers within the space of eight days.

Lambert van Valckenburch, plaintiff, against the wife of Evert, the baker, defendant.

The plaintiff complains and says that the defendant without their knowledge and in the absence of himself and his wife has taken shirts, ties and other goods out of a chest, among other things two ties that belonged to the plaintiff.

The defendant admits having done it, but says that the goods belonged to Abraham Carpeyn.

The court orders the defendant to restore the goods, the action of the officer being reserved.

Daniel Rinckhoudt, plaintiff, against the wife of Jan van Hoesem, defendant.

The plaintiff demands payment by the defendant of the sum of three hundred and four guilders in beavers and three hundred and seventy-five guilders in seawan.

The defendant admits the debt, but says that she does not know how much.

The honorable court orders the plaintiff to give the defendant an account.

[185] Pieter Jacobsen Bosboom, plaintiff, against Daniel Rinckhoudt, defendant.

The plaintiff demands of the defendant payment for his horse

sold to the defendant, on which a balance of two and a half ankers of brandy is due.

The defendant admits the debt, but says that it was agreed that he should pay one and a half ankers in the spring.

The honorable court, having heard the parties and also the plaintiff's offer to confirm the same under oath, condemn the defendant to pay the plaintiff the brandy demanded within the space of eight days.

Volckert Jansen complains about an attachment of twenty beavers in the hands of Davit Pietersen Schuyler, belonging to Gerrit Jansen Decker, at present in the fatherland.

The honorable court declares the attachment provisionally valid.

The honorable magistrates of this court, Sander Leendersen, Jan Verbeeck, Frans Baerentsen Pastooren and Evert Jansen Wendel, are hereby authorized in these dangerous times to make an inspection of the woods and to fine all traders and Dutch brokers whom they shall find therein to have acted contrary to the latest posted ordinance. Done this 14th of July Anno 1660, in Fort Orange.

[186] Extraordinary Session held in Fort Orange, July 15 Anno 1660

Present:

Sander Leendersen	Frans Baerentsen
Jan Verbeeck	Evert Jansen Wendel

Johannes La Montagne, in his capacity of officer, plaintiff, against Poulis Jansen, defendant.

The plaintiff complains and says that the defendant, contrary to the latest ordinance, has ventured to go as a broker into the woods and to attract the savages with beavers.

The defendant admits having been in the woods, but claims that he went there to pick blueberries.

The honorable court adjourns the case until the next court day.

Idem, plaintiff, against Rutger Jacobsen, defendant.

The plaintiff says and complains that the defendant, contrary to the latest ordinance, has ventured to send his servant into the woods and to employ him as a broker to attract the savages with their beavers, according to the report of the four magistrates who were authorized thereto.

The defendant denies it.

The honorable court adjourns the case to the next court day.

[187] Johannes La Montagne, in his capacity of officer, plaintiff, against

Default Willem Jansen Schut and Anderies Herper[sen], defendants.

Idem, plaintiff, against Harmen Vedder, defendant.

The plaintiff says and complains that the defendant, contrary to the latest ordinance, has ventured to go into the woods to get Indians with beavers.

The defendant admits that he has been in the woods, but not with the intention of getting Indians with beavers.

The honorable court orders the defendant to declare the next court day under oath that he has not been in the woods with such intention.

Idem, plaintiff, against Willem Brouwer, defendant.

The plaintiff says and complains that the defendant, contrary to the latest ordinance, has sent his servant into the woods and employed him there as a broker to get Indians with their beavers.

The defendant says that he sent his servant into the woods because Rutger Jacobsen told him at the house of Jurriaen Teunesen that he had been at the officer's, who said that he did not wish to have anything to do with the matter. Also, that the defendant's wife again went to the house of Rutger Jacobsen and asked whether the going into the woods was free? He answered: "I have already sent my servant into the woods. You can do as you like. Go to the officer and find out." He says further that he did not send his servant to get Indians, but only to see where his two Indian brokers were.

[188] The plaintiff persists in his demand and maintains that the defendant's excuse is not valid and that Rutger Jacobsen had no authority to give him permission contrary to the ordinance of the honorable court. As to the final excuse that he sent his servant into the woods to look for the Indian brokers, he requests that the defendant purge himself under oath and that in case of refusal he be condemned according to the ordinance, for the sake of expediting justice, as provided by the ordinances of the city of Amsterdam.

The honorable court grants the defendant time until the next court day to purge himself under oath.

Idem, plaintiff, against Cornelis Fynhoudt, the servant of Marcelis, defendant.

The plaintiff complains and says that the defendant has ventured to go into the woods, or has been sent there by his master, to get Indians.

The defendant admits having been in the woods, but says that he was not sent by his master to get Indians, but only to look for hogs.

Idem, plaintiff, against Marcelis Jansen, defendant.

The plaintiff says that the defendant, contrary to the latest ordinance, has ventured to send his servant into the woods to get Indians with beavers.

The defendant denies that he sent his servant into the woods for such a purpose, but [says that he sent him] only to see if the servants of Rutger Jacobsen, Anderies Herpertsen and Philip Pietersen were in the woods and, on finding them, to report the same at once. [189] He offers to make oath thereon and to prove it.

The honorable court accepts the offer of the defendant to produce proof on the next court day.

Idem, plaintiff, against Pieter van Alen, defendant.

The plaintiff says that the defendant sent Daniel Jansen into the woods and employed him as a broker to get Indians with beavers.

The defendant has under oath purged himself of the offense.

Idem, plaintiff, against Philip Pietersen, defendant.

The plaintiff says that the defendant, contrary to the latest ordinance, has ventured to send his servant, Jacob Loockermans, into the woods and to employ him as a broker to get Indians with beavers.

The defendant denies that he sent his servant into the woods for such a purpose, but [says that he sent him] only to see what sort of Dutchmen were in the woods and what they did there. Not finding any, he was to come back immediately. He offers to prove this.

The honorable court orders the defendant to prove his statements on the next court day.

Idem, plaintiff, against Adriaen Jansen from Leyden, defendant.

The plaintiff says that the defendant, contrary to the latest ordinance, has sent his servant into the woods and has employed him as a broker to get Indians with beavers.

[190] The defendant admits it, but declares that he did not know but that every one was free to go into the woods, as the servants of Rutger Jacobsen, Anderies Herpertsen and Philip Pietersen openly went into the woods.

The plaintiff persists in his demands and maintains that the defendant's excuse is not valid, as [permission] was not published or posted and that one should not sin on account of the example of others.

The honorable court, taking the excuse of the defendant into consideration, adjourn the case to the next court day.

[191] [Ordinance for the regulation of the fur trade and forbidding the sale of liquor to the Indians][1]

The Honorable Director General of New Netherland and the Magistrates, having heard and examined the complaints

[1] Translation revised from that printed in *Laws and Ordinances of New Netherland*, p. 383–84, where the date is given as July 21, 1660.

respecting running in the woods and the evils which may result therefrom, have been as yet unable to discover any better expedient than to renew and maintain the ordinances heretofore enacted on that subject, to wit:

That no one, of what nation or quality he may be, shall directly or indirectly send any Christians or Indians as brokers into the woods, either with or without presents, to fetch or entice any Indians, under the penalty of the fine heretofore provided and inserted in previous ordinances.

Secondly, no one shall be allowed to take from the Indians, whether in the woods, without or within the settlements, houses, or places, any beavers, to carry them for the Indians on horses, carts, or on their backs, under penalty of a like fine.

Thirdly, if it should come to pass that any Indians, whether voluntarily, or induced thereto by other Indians, should come with their peltries into any houses, either without or within the village of Beverwyck, Fort Orange, or the colony of Renselaerswyck, no person, of what nation or quality he may be, shall take away or lock away the peltries of such Indians against their will, much less [192] impede, prevent, or hinder the Indians from going with their peltries where they please; and although they had either given themselves, or caused others to give any presents for the peltries, such gifts or presents shall not only remain forfeited for the benefit of the Indian, or Indians, who may have received them, but they shall in addition forfeit twenty-five pounds Flemish for the officer who enforces and executes this ordinance.

Fourthly, and lastly, the ordinance and regulation heretofore enacted by the Director General and Council aforesaid respecting the sale, giving or presenting of wine, brandy, strong liquor or beer to the Indians, is hereby renewed and the sheriffs and officers of the village of Beverwyck as well as of the colony of Renselaerswyck are hereby ordered and commanded this and the previously enacted ordinances, order and regulation more strictly to enforce and to execute, as they ought to be, and in

case they lack sufficient evidence against the contraveners who may be arraigned before the respective courts, the magistrates of the court respectively may upon probable indication oblige the defendant to purge himself under oath, and if he refuse, condemn him according to the exigency of the case. Thus done in Fort Orange, this 22/1 of July Anno 1660. Was signed: P. Stuyvesant.

[193] Present: The Hon. General Petrus Stuyvesant and the gentlemen of both the courts here

Propositions made to us by the Sinnekus in Fort Orange, the 25th of July 1660 [1]

First, they say, that it is now some years past since they were at the Manhattans and brought presents there, without having received any return for it, not even a pipeful of tobacco; whereupon they give three beavers.

Secondly, they say that a year or two ago they requested that they might receive a blanket and a piece of cloth for one beaver, to which they got no other answer than that we would tell them when the ships came; whereupon they give three beavers.

Third, "We only make a little request of you and yet in asking this it is as if we ran against a stone." They thereupon give three beavers.

Fourth, they say: "When we were at the Manhattans, we concluded our friendship and bound ourselves together with a chain and this is only for a renewal of it;" giving thereupon three beavers.

Fifth, they say: "Let us be of one mind, and when you ask something of us, we shall in turn listen to you." They thereupon present three beavers.

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[1] A translation, differing slightly from the present, is in *Doc. rel. to Col. Hist. N. Y.*, 13:184–85.

Sixth, they say: "We are now engaged in a great war and we can get no powder or lead unless we have beavers and a good soldier ought to have powder and lead for nothing." They thereupon give three beavers.

[194] Seventh, they say: "We thank you for all that we now receive as a gift, caps, stockings, shoes, shirts and breech clouts." They thereupon give two beavers.

Eighth, they say: "Now, once more, a mass of Sinnekus will come and ask that they may barter their beavers at their pleasure and not be locked up by the Dutch, but be allowed to go with their beavers where they please and not be beaten when they want their beavers to trade at another place." They thereupon give three beavers.

Ninth, they say: "You have taken us, both Maquaes and Mahikans, with you to the peace [conference] in the Esopus. Now you ought to restore the captured Indians of the Esopus." They thereupon give two small beavers.

Tenth, "We are quite content that you have made peace with the Esopus Indians. We sometimes have to use the road also. It is quite well that brothers live together in peace."

Eleventh, they say: "You are as much as the chiefs of the entire country, to whom we all look up. We have asked to have a piece of cloth for one beaver, 50 handfuls of seawan for one beaver and 30 double handfuls of powder for one beaver. You have slept until now, therefore we now wake you up again." They thereupon give three beavers.

12th They say: "We have great trouble in getting the beavers through the enemy's country. We request therefore much powder and lead, for if the enemy overcome us, where can we then catch beavers?" They thereupon give two beavers.

[195] 13th. They say that they request that it may from now on be settled here that they can get 30 handfuls of black seawan for one beaver. They thereupon give two beavers.

14th. They say that they request that they may from now on have 60 handfuls of white seawan for one beaver. They thereupon give two beavers.

15th. They say that sometimes when they are in a trader's house and they wish to go to another man's house to buy goods that appeal to them they are severely beaten till they hardly know where their eyes are. That ought not to be and every one ought to be free to go where he pleases to buy the goods that suit him best. They thereupon give two beavers.

16th They say: "We have requested that the Dutch would not beat us any more. This you must now forbid the Dutch, in order that we may smoke tobacco in peace. If you now buy two beavers' worth of tobacco, you can smoke and think over everything. We expect to come next year with all the chiefs to hear what you have to say. This is only to arouse you for the present, but then we shall state everything thoroughly." They thereupon give two beavers.

17th They say: "The Dutch are sending so many brokers into the woods from one house, that they do not know where to go with their beavers. Each house ought to have something. They, that is to say, the brokers, pull one hither and thither, so that one does not know where to go. That should not be tolerated, but each house ought to have something." They thereupon give one beaver.

18th They say: "The French Indians will visit the Mahikans at the Cahous. They greatly bewail this. And as you [and they] are bound together with a chain, you ought to be sad also." They thereupon give one beaver.

19th They request that the honorable general warn all the Dutchmen not to beat the Indians any more. Otherwise, the Dutch say that they know nothing about it. And that they may go with their beavers where they please, without being beaten. Whereupon they give one beaver.

[196] Answer to the propositions made by the chiefs of the Sinnekus, dated July 26, 1660

First, it is true that our brothers two or three years ago were at the Manhattans and made a treaty of friendship with us,

which we shall always maintain, as we have done so far and always will, and as the tobacco was forgotten at that time, we give them now a roll of tobacco, in order that when they return to their country they may remember their friendship and keep it as firmly as if it were bound with a chain.

Brothers, we have made peace with the Esopus Indians at the request of the Maquaes, the Mahikans and others of our friends, in order that they may use the roads and rivers. We now give you the hatchets, which we now lock up and you are charged not to kill any horses or cattle when you go away from here.

Our brothers, the Sinnekus, have thanked us because we have made peace with the Esopus Indians. We now, in turn, request them to make and keep peace with the Maquaes, so that we may also use the road thither freely and safely as the brothers do here among us.

As our brothers complain that they can not get much powder, we give them now a keg full of powder, but they must not use it against our brothers, the Maquaes, but against their enemies, who dwell far away, where they must fetch their beavers.

[197] The brothers complain that their beavers are locked up when they come into their houses. We forbade our people to do so three days ago, so that the brothers may go with their beavers where they please.

Brothers, if any Dutchman beats you, come to the sachems and make a complaint thereof, or if any of the Dutch keep your beavers or lock them up, we shall see that you get them back.

Brothers, it is well that everybody goes with his beavers where he likes and no brokers shall hereafter be sent and everybody may go with his beavers where he likes and you are directed not to listen to any broker. Strike them on the forehead, so that one can not see where their eyes are.

The request of the brothers to give so much cloth or seawan for one beaver, the Dutch can not accede to, as it has to come far across the water.

[198] Extraordinary Session held in Fort Orange, July 28 Anno 1660

Present:

La Montagne — Frans Baerentsen Pastoren
Sander Leendersen — Evert Jansen Wendel
Jan Ver Beeck

Jan Jacobsen, plaintiff, against Arent Isacksen, defendant.

The plaintiff demands of the defendant 12 whole beavers for goods received, with interest of 8 beavers for 11 months, together with the costs of the suit.

The defendant admits the debt, but says that he owes no interest, nor is liable for the costs of the suit, as it was brought against his will.

The honorable court, having heard the parties, condemn the defendant to pay the plaintiff the 12 beavers demanded, four of them cash according to his promise and the remaining eight in the space of three weeks, on pain of execution and of being then, in case of failure to pay, liable for the costs of the suit.

Whereas the magistrates of Fort Orange and the village of Beverwyck have again and again pointed out to us the great expenses paid and incurred by them with our previous knowledge in setting off this place with a plank fence against any sudden attack by barbarians and other expenses incurred in repairing the bridges and otherwise, whereby the treasury is considerably depleted and many persons are still unpaid for their materials, it is decided to replenish the same by levying a tax of three guilders on every chimney. Having asked our approval and ratification thereof, we hereby order and charge all inhabitants within the limits of the village to pay the chimney tax, on pain of execution. Done in Fort Orange, July 25 Anno 1660. Was signed: P. Stuyvesant.

[199] Ordinary Session held in Fort Orange, August 3 Anno 1660

Present:

La Montagne	Rutger Jacobsen
Anderies Herpertsen	Frans Baerentsen Pastoor
Sander Leendersen	Evert Jansen Wendel

Jan Ver Beeck

Dirck Jansen Croon, plaintiff, against Davidt Pietersen[1] and Gysbert Jansen, defendants.

The plaintiff, as overseer of a common well, asks of the defendants payment of fl.25 each for the making of the same.

The defendants say that they are not liable, as they have not been consulted in the matter.

The honorable court, having heard the parties, condemn the defendants to pay the plaintiff the sum demanded, since they agreed to board the workmen.

Reynier Rycken, plaintiff, against Willem Jansen Stol, defendant.

The plaintiff complains that the defendant will not submit to the judgment to decide the matter with referees.

The honorable court refer the parties to the previous judgment.

Jan Roeloffsen, plaintiff, against
1st default Hendrick Gerritsen, defendant.

Albert Gysbersen, plaintiff, against
2d default Maria Goosens, defendant.

Eldert Gerbensen, plaintiff, against Samuel, the hat maker, defendant.

The plaintiff says that he delivered to the defendant 100 garret floor boards at 30 stivers apiece and that in the year 1658 he received on account a barrel of meat for 5 beavers and a barrel of mackerel for 3 beavers, according to the letter written to him.

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[1] David Pietersen Schuyler.

[200] The defendant says that he sold the meat to the plaintiff for 6 beavers and the mackerel for 4 beavers.

The honorable court, having heard the parties, condemn the defendant to pay the plaintiff for the said boards in seawan, provided that the plaintiff in return be held to pay for the meat and the mackerel according to the notice.

Daniel Verveelen, plaintiff, against Willem Brouwer, defendant.

The plaintiff demands of the defendant payment of fl.6 in beavers and fl.12 in seawan.

The defendant's wife, appearing before the court, admits the debt.

The honorable court order the defendant to pay the plaintiff the sum demanded within the space of 14 days.

Idem, plaintiff, against Roelof Swardtwoudt and Meyndert Fred[ericksen], defendant. Default.

Idem, plaintiff, against Pieter Brouwer, defendant.

The plaintiff demands of the defendant payment of 4 whole beavers.

The defendant admits the debt.

The honorable court order the defendant to pay the plaintiff the sum demanded within the space of eight days.

Pieter Meesen, plaintiff, against

Default Philip Hendricksen, defendant.

[201] Jan van Eeckelen, plaintiff, against Jacobus Theunesen, defendant.

The plaintiff demands of the defendant payment of fl.36:– for bread received, of which he received on account two schepels of wheat and one half beaver.

The defendant admits that he owes the plaintiff something, but not as much as the plaintiff claims, but only eighteen guilders and three stivers for white and coarse bread.

The honorable court order the defendant to pay the plaintiff cash the acknowledged sum of fl.18:3. As to the balance of the amount, the parties are referred to further evidence of accounts.

Extraordinary Session held in Fort Orange, August 4 Anno 1660

Present:

Sander Leendersen — Frans Baerentsen
Jan Verbeeck — Evert Wendel
Rutger Jacobsen

Isaack de Haen, plaintiff, against Jacob Tysen, defendant.

The plaintiff says and complains that the defendant [alleged that the plaintiff] brought in a false account and kept book falsely. He produces affidavits of four witnesses and demands reparation of honor.

The defendant admits having said that the plaintiff had rendered a false account, but not that he had spoken of false bookkeeping, and refers to the witnesses mentioned below.

There appeared before the honorable court, Symon Jansen, Walraef Klaerhout and Jan Hendricksen Bruyn, who declared at the request of Jacob Thysen that they heard Jacob Thysen say that the account which the plaintiff had rendered to the defendant was false, but that they did not hear him speak of false bookkeeping.

[202] The honorable court, having heard the parties and witnesses on both sides and also examined the account in question, and having found no mistake in the said account which the defendant could point out, find the defendant guilty of having rashly accused the plaintiff of fraudulent bookkeeping and therefore fine the defendant fl.28 and forbid him on pain of greater penalty to repeat such accusations.

Johannes La Montagne, in his capacity of officer, plaintiff, against Philip Hendricksen, defendant.

The plaintiff says that the defendant has committed great insolence in having during the night, in returning from guard duty, cut Gerrit Visbeeck with his cutlas in the arm, in such a way that the same was half off and lamed, as appears from the affidavits of three witnesses which the plaintiff produces, as also

from the report of Master Jacob, the surgeon,[1] that the last three fingers are lame and that the patient is in danger of having fits, which might cause his death. He requests justice in the matter.

The defendant admits the deed, but says that he was forced to it because the plaintiff attempted to take his gun from him and undertakes to prove it.

The honorable court adjourns the case to the next court day, when the defendant is to present his evidence.

[203] Extraordinary Session held in Fort Orange, August 13 Anno 1660

Present:

Johan Verbeeck Evert Jansen Wendel
Frans Baerentsen

Johannes La Montagne, in his capacity of officer, plaintiff, against Adriaen Jansen from Leyden, defendant.

The plaintiff says that the defendant, contrary to the ordinance issued by the Hon. Director General and Council of New Netherland, has ventured to send an Indian into the woods as a broker to fetch Indians with beavers. Having met a squaw with beavers who wished to go to the house of Volkert Jansen, the Indian broker enticed her by presenting her with a belt of black seawan and brought her to the defendant's house. Being there, she refused to trade and insisted on going to Volckert Jansen's, whereupon her beavers were retained and she was pushed outdoors by the defendant's servant, the door being locked. The squaw having made a complaint to the plaintiff, he went to the defendant's house and ordered him to restore the squaw's beavers, which the defendant's wife refused to do. Finally, they forced the squaw to trade her beavers at their house.

He requests therefore that the defendant be fined the amount mentioned in the ordinance.

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[1] Jacob de Hinse.

The defendant denies that he sent brokers into the woods and also that he retained the squaw's beavers by force.

[204] The plaintiff requests that the defendant be subjected to the following interrogatory, to wit:

Whether it is not true that he himself, through his wife, or otherwise, has given an Indian a black belt, some black seawan and some canoe wares, for brokerage?

Answer: He requests to have a copy, to make reply on the next court day.

The officer protests and maintains that he must answer at once, yes or no, according to the best of his knowledge.

The honorable court orders the honorable plaintiff to deliver to the defendant copies of the documents to make answer thereto on the next court day.

Gerrit Swardt, schout of the colony of Renselaerswyck, gives notice of the attachment levied against the person of Carel Jansen and requests that he be not allowed to depart until he make satisfaction of one beaver.

[205] Extraordinary Session held in Fort Orange, August 25 Anno 1660

Present:

Anderies Herpertsen
Sander Leendersen
Jan Verbeeck
Rutger Jacobsen
Frans Baerentsen
Evert Jansen Wendel

Johannes La Montagne, in his capacity of officer, plaintiff, against Hendrick Anderiesen, defendant. Default.

The plaintiff complains that Hendrick Anderiesen, defendant, on the 23d of this month, in violation of public law and the freedom of the public street, without a word of altercation, beat and maltreated Lysbet, the wife of Gerrit Bancken, who was pregnant, with his fists and kicked her. And whereas such ex-

cesses in a place where justice prevails can not be tolerated, the plaintiff, after investigation of the matter, has caused the defendant to be cited to appear before the honorable court and in case of default he requests that he may arrest and detain the delinquent in order to proceed against him, for the recovery of costs and judgment against him, according to law.

The honorable court, on the complaint of the officer and the presentation of the affidavits in regard to the person of Hendrick Anderiesen, order the officer in accordance with his request to place the defendant in confinement.

The curators of the estate of Dirrick Bensich, deceased, plaintiffs, against Lambert van Neck, defendant.

The plaintiffs demand of the defendant payment of 32 or 33 beavers, according to the contract of sale.

The defendant admits the debt, but says that he can not pay at present.

The honorable court order the defendant to pay the plaintiff the beavers demanded within the space of 14 days.

[206] Extraordinary Session held in Fort Orange, September 1 Anno 1660

Present:

La Montagne	Rutger Jacobsen
Anderies Herpertsen	Frans Baerentsen Pastoor
Sander Leendersen	Evert Jansen Wendel

Jan Ver Beeck

Theunis Pietersen, plaintiff, against Jacob Thysen, defendant.

The plaintiff asks of the defendant payment of the sum of one hundred and two guilders, eight stivers, in beavers.

The defendant's wife, appearing before the court, exhibits an account amounting to one hundred and seventeen guilders and 14 stivers, which the defendant says the plaintiff received.

The plaintiff replies that 7 beavers in his custody are chargeable to the account of the defendant's boy, named Johannes, to pay for his board.

The defendant's wife rejoins, saying that she gave the 7 beavers in part payment of the plaintiff's account and not on account of the boy.

The honorable court adjourns the case to the next court day, until the arrival of the defendant.

Gerrit Bancken, plaintiff, against
Default. Adriaen Appel, defendant.
Default. Jan van Eeckelen, defendant.
Eva Rinckhout, plaintiff, against
Default. Claes van den Bergh, defendant.
Theunes Spitsbergen, plaintiff, against
Rutger Jacobsen, defendant.

The plaintiff asks of the defendant payment of 100 beavers which he says he loaned the defendant at interest.

[207] The defendant denies the debt and says that he owes the plaintiff no more than about twenty-seven or thirty beavers.

The plaintiff exhibits a bond for the sum of 100 beavers to be paid by the defendant.

The defendant offers to present a counter-claim.

The honorable court put the case over to the next court day.

Hendrick Anderiesen and Cornelis Wynkoop, plaintiffs, against Claes Ripsen, defendant.

The plaintiffs asks of the defendant payment of the sum of twenty-five beavers and 6 guilders, with interest thereof, arising from the purchase of a house and lot.

The defendant refuses to pay, for the reason that the plaintiffs failed to deliver to him the ground belonging to the lot, according to the contract of sale, as it was sold at auction.

The honorable court, having heard the parties, order the defendant to pay the plaintiff the sum demanded, provided that the plaintiff shall be held to deliver to the defendant the aforesaid ground according to the contract, or otherwise according to the estimate of referees, who are to estimate the ground that is lacking.

Jan Daret, plaintiff, against Reynier Wisselpenninck, defendant.

The plaintiff demands of the defendant payment of thirty-nine beavers on account of the purchase of a house at present occupied by the defendant.

The defendant admits the debt.

The honorable court refers the parties to the previous judgment of the 2d of May 1660.

[208] Adriaen van Ilpendam, plaintiff, against Lambert van Valkenburch, defendant.

The plaintiff asks of the defendant payment of fl.6 in beavers.

The defendant's wife, appearing, admits the debt.

The honorable court, having heard the parties, orders the defendant to pay the plaintiff the sum demanded within the space of 6 weeks.

Idem, plaintiff, against

Default. Teunes Cornelissen, defendant.

Idem, plaintiff, against Gillis Pietersen, defendant.

The plaintiff demands of the defendant payment of ten and a half beavers and 12 stivers, on account of school money.

The defendant admits the debt.

The honorable court orders the defendant to pay the plaintiff the beavers demanded within the space of 6 weeks.

Idem, plaintiff, against Pieter Loockermans, defendant.

The plaintiff demands payment of two beavers for one year's tuition fee.

The defendant admits the debt.

The honorable court orders the defendant to pay the plaintiff the beavers demanded within the space of six weeks.

Idem, plaintiff, against

Default. Willem Brouwer, defendant.

[209] The officer, plaintiff, against Lambert van Neck, Jan Daret and Juriaen Jansen, defendants.

The honorable plaintiff asks that the defendants swear to their affidavits given on the 5th of August 1660 against Philip Hendricksen. Which they did, but they could not be confronted with Philip Hendricksen, on account of his being in default.

Ordinary Session held in Fort Orange, September 8, 1660

Present:

La Montagne — Frans Baerentsen
Anderies Herpertsen — Evert Jansen Wendel
Jan Ver Beeck

Tierck Claesen, plaintiff, against Volcien van Hoesem,[1] defendant.

The plaintiff demands payment of 5 beavers.

The honorable court refers the parties to the previous judgment of June 30.

Pieter Adriaensen, plaintiff, against
Default — Geertruy van den Bergh, defendant.

Aerent Pietersen Tack, plaintiff, against Cornelis Teunesen, defendant.

The plaintiff asks payment and settlement of accounts.

The honorable court orders that the documents of the parties be submitted to two magistrates, authorizing the Hon. Rutger Jacobsen and Frans Baerentsen Pastoor to examine and render decision in the matter.

Johannes La Montagne, in his capacity of officer, plaintiff, against Philip Hendricksen, defendant.

The plaintiff complains as before that the defendant insolently wounded and lamed Gerrit Visbeeck, as appears from the affidavits produced and sworn to in the presence of the honorable court. He requests therefore right and justice.

The defendant requests that his affidavits may be presented in court.

[210] The honorable court orders that the defendant may appear in the fort and have his affidavits sworn to before two magistrates.

Idem, plaintiff, against
Default — Jurriaen Theunesen, defendant.

Idem, plaintiff, against Marcelis Jansen, defendant.

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[1] Volckje Juriaens, the wife of Jan Fransen van Hoesem.

The plaintiff says that the defendant, contrary to the placards and ordinances of the States General, has ventured to lay in a half barrel of good beer without a permit from the farmer of the excise.

The defendant says that he paid the excise to Jan Cornelesen, who let him bring in the beer and produces an affidavit that the beer was brought into his house without his knowledge.

The honorable court orders the plaintiff to submit further evidence on the next court day.

Idem, plaintiff, against Matthias Janssen, defendant.

The plaintiff says that the defendant, contrary to the ordinance of the director general and council, met at the gate an Indian, whom he had caused a broker to fetch out of the woods and had given him presents.

The defendant says that the Indian came to his house alone and that he made an agreement with him. That, thereupon, he went with the Indian to the gate, where the Indian had his beavers, and that the Indian asked him to do so.

The honorable court, having heard the parties, orders the parties to submit their evidence on the next court day.

[211] Ordinary Session held in Fort Orange, September 14, 1660

Present:

Anderies Herpertsen	Frans Baerentsen Pastoor
Jan Verbeeck	Evert Jansen Wendel

Johannes La Montagne, in his capacity of officer, plaintiff, against Lambert Albersen van Neck, defendant.

The plaintiff complains, according to his complaint delivered in writing, that the defendant offered resistance to the court [officer] in regard to the collection of the chimney tax.

The defendant says that he offered resistance because he would not allow his property to be carried out of the house.

The honorable court orders the honorable plaintiff to furnish the defendant with a copy of his complaint, to make answer thereto on the next court day.

Idem, plaintiff, against Jurriaen Theunesen, defendant.

The plaintiff says and complains that the defendant, on the 23d of August last past, did not hesitate to beat some of the magistrates at the house of Juffrouw Dyckmans and furthermore to abuse the honorable court, according to the affidavits thereof, which the plaintiff produces. He demands, therefore, that the defendant be arbitrarily punished.

The defendant says that he knows nothing about it, as he was very deeply intoxicated.

The honorable court, having examined the affidavits, and heard the complaint of the plaintiff and the answer of the defendant, condemn the defendant to pay a fine of thirty guilders and the costs of the suit.

[212] Idem, plaintiff, against

Default Marcelis Jansen, defendant.

Idem, plaintiff, against

Default Adriaen Jansen from Leyden, defendant.

Idem, plaintiff, against

Default Cornelis Theunesen Bosch, defendant.

The plaintiff complains and says that the defendant, contrary to the latest ordinance, has ventured to send his servant into the woods and to employ him there as a broker to fetch Indians with beavers.

Idem, plaintiff, against Hendrick, the baker, defendant.

The plaintiff, as attorney for Gerrit Swardt, schout of the colony of Renselaerswyck, says that the defendant on the 5th of August, being a Sunday, did not hesitate to cart a load of hay at the third ringing of the bell, which is contrary to the law of God and the ordinance of the supreme authorities. On account of which the said honorable schout has fined the defendant fl.12, according to the ordinance. He demands therefore that the defendant be fined the aforesaid amount.

The honorable court condemns the defendant to pay a fine of twelve guilders, according to the ordinance, and costs.

[213] Michiel Tades, plaintiff, against Baltus Jacobsen, defendant.

The plaintiff demands of the defendant payment of one thousand, seven hundred and fifty guilders on account of the purchase of ten head of cattle.

The defendant claims that he owes not more than one thousand, six hundred and fifty guilders.

The plaintiff replies and exhibits a bill of sale, signed by the defendant, bearing the sum of fl.1750.

The defendant says that he signed the bill of sale by mistake and that he did not know any better.

The honorable court orders the defendant to pay the plaintiff the sum of fl.1650, which he acknowledged, in cash. As to the one hundred guilders in dispute, the parties are referred to the Manhattans, as the purchase took place there and the defendant says that he has further proof there. Decision as to the costs of the suit is reserved until judgment in the case.

Willem Theunesen, plaintiff, against Baltus Jacobsen, defendant.

The plaintiff demands of the defendant payment of two beavers for goods received.

The defendant admits the debt, but says that he has a counter-claim of twelve guilders for freight and house rent.

The honorable court, having heard the parties and the testimony of Michiel Tadus, order the defendant to pay the plaintiff the sum of two beavers demanded in cash.

[214] Arent Pietersen Tack, plaintiff, against Cornelis Teunesen Bosch, defendant.

The plaintiff demands of the defendant payment of 9 beavers, which the defendant has agreed to pay for Jochim Kitteleyn.

The defendant says that he has not agreed to pay the debt, but that he is held as surety and that the plaintiff must first call upon the person of Jochim Kittelheym and that on his failure to pay, he, the defendant, shall be held to pay.

The plaintiff undertakes to prove that the defendant has agreed to pay the debt.

The honorable court adjourns the case until the next court day, when the plaintiff is to produce his evidence.

[215] Ordinary Session held in Fort Orange, September 28 Anno 1660

Present:

La Montagne — Frans Baerentsen
Anderies Herpertsen — Evert Wendel
Sander Leendersen

Cornelis Wynkoop, plaintiff, against
Default Claes Ripsen, defendant.

Master Adriaen, plaintiff, against
Default Willem Brouwer, Cornelis Teunesen Bosch } defendants

Gerrit Bancken, plaintiff, against
Default Jan van Eeckelen, defendant.

Gillis Pietersen, plaintiff, against
Default Baerent Meyndersen, defendant.

Eldert Gerbersen, plaintiff, against
Default Jacob Thysen, defendant.

Cornelis Bogardus, plaintiff, against
Default Jan van Breemen, defendant.

Willem Teller, plaintiff, against Jacob Thysen van der Heyden and Cornelis Theunesen Bosch, defendants.

The plaintiff asks of the defendants reparation of honor, as the defendants called him a defamer, saying that the plaintiff robbed them of their reputation. He requests that the defendants prove it.

The defendants ask time until the next court day.

The honorable court grants the defendants time until the next court day to prove their charges.

Dirckien Martensen, plaintiff, against Jochim Kittelheym, defendant.

The plaintiff complains that the defendant kept a wagon of hers and that in addition the defendant's wife beat her. She asks for justice in the matter.

[216] The defendant's wife, appearing before the court, admits that she beat the plaintiff, because the plaintiff called her names, but she says that she found the wagon in the river.

The honorable court, having heard the parties, give them time until the next court day to present their evidence.

Aert Pietersen Tack, plaintiff, against Cornelis Theunesen Bosch, defendant.

The plaintiff asks as on the preceding court day payment of nine beavers and according to the order of the honorable court exhibits affidavits of Leendert Philipsen and Cobus Theunesen that the defendant absolutely agreed to pay the debt. He furthermore claims three guilders and twelve stivers for costs of this suit.

The defendant says that the honorable court knew all about the matter.

The honorable court orders the defendant to pay the plaintiff the 9 beavers and costs within the space of eight days.

Eva Rinckhouts, plaintiff, against
2d default Claes van den Bergh, defendant.
Harmen Idesen, plaintiff, against
Default Hendrick Gerritsen, defendant.

Johannes La Montagne, in his capacity of officer, plaintiff, against Philip Hendricksen, defendant.

The plaintiff says that the defendant must make answer according to the last order of the honorable court.

[217] The defendant says that he asked the officer for delay, as he can not get ready so soon. He says that he will have his case ready in the space of eight days.

The honorable court grants the defendant time until the next court day to reply to everything.

The court, having examined the documents delivered to them by Rutger Jacobsen and Frans Baerentsen Pastoor, magistrates authorized to examine the accounts between Daniel Rinckhout and Jan Fransen van Hoesem, order Jan Fransen van Hoesem to pay Daniel Rinckhoudt according to the decision of the authorized magistrates the sum of thirteen guilders in beavers and two hundred and ten guilders, eleven stivers, in seawan, in the space of fourteen days, the costs to be paid by both parties.

[218] Ordinary Session held in Fort Orange, October 16, 1660

Present:

La Montagne — Frans Baerentsen
Jan Verbeeck — Evert Wendel
Anderies Herpertsen

Cornelis Wynkoop, plaintiff, against Claes Ripsen, defendant.

The plaintiff asks payment of the balance of the last payment for his house and lot.

The defendant says that he has not had complete satisfaction as regards the lot, which lacks thirty inches in width.

The honorable court, having heard the parties and the report of the referees chosen thereto by the parties and considering the slight difference, which amounts to not more than one beaver, order the plaintiff to come down one beaver in the sum demanded and condemn the defendant to pay the balance in cash, each party to pay one half of the costs.

Carsten Claesen, plaintiff, against
Default Cornelis Theunesen Bosch, defendant.

Pieter Gillesen, plaintiff, against
Jacob Thysen, defendant.

The plaintiff, as attorney for Theunes Tempel, demands of the defendant payment of 7 beavers, heretofore in dispute, as is to be seen by the minutes of the previous court day, being the 7th of September 1660.

The honorable court adjourn the case until the arrival of Theunes Tempel from *patria*.

[219] Jan Anderiesen de Graef, plaintiff, against Theunes Cornelessen, defendant.

The plaintiff demands of the defendant payment of 15 good, whole beavers, according to the bond.

The defendant admits the debt.

The honorable court orders the defendant to pay the plaintiff the beavers demanded cash.

Lourens Sachariassen, plaintiff, against Baltus Jacobsen, defendant.

The plaintiff asks of the defendant payment of fl.3 in seawan.

The defendant admits the debt, but says that he paid to Lysbet Thysen on account of the plaintiff.

The honorable court orders the defendant to pay the plaintiff the sum demanded in the space of 24 hours and to apply to Lysbet Thysen for recovery of the amount.

The curators of the estate of Harmen Jacobsen, deceased,[1] plaintiffs, against Willem Boudt, defendant.

The plaintiffs demand of the defendant payment of fl.86.5 according to the book of Harmen Bamboes, deceased, arising from excise duty. They further sue for damages and interest.

The defendant denies that he owes any excise money and undertakes to prove it, but he admits that he owes the aforesaid Bamboes, deceased, a personal bill for grain.

The court orders the defendant to prove on the next court day that he does not owe any excise money and also to give information in regard to the acknowledged bill for grain.

[220] The curators of the estate of Harmen Jacobsen, deceased, against Femmetien Albers, defendant.

The plaintiffs demand of the defendant payment of three hundred and ninety-two guilders, six stivers.

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[1] Harmen Jacobsen Bamboes was killed by the savages at the Esopus on May 1, 1658. See *Doc. rel. to Col. Hist. N. Y.*, 13:77, 88, 140.

The defendant denies the debt and says that she paid Harmen Jacobsen, deceased.

The court orders the defendant to prove her assertion on the next court day.

Idem, plaintiffs, against

Default — Hendrick Gerritsen, Theunes Slingerlant, Cornelis Vosch — defendants

[221] Ordinary Session held in Fort Orange, December 7, 1660

Present:

La Montagne — Jan Ver Beeck
Anderies Herpertsen — Evert Wendel
Frans Baerentsen

Jan Hendricksen de Bruyn, plaintiff, against Jannetien, the wife of Evert, the baker, defendant.

The plaintiff states that the defendant has said that he had smashed her windows, which he absolutely denies, and that she on that account called him a disorderly person and a rogue, and produces affidavits thereof.

The defendant acknowledges that she called the plaintiff names, but says that the plaintiff called her a whore.

The plaintiff is ready to acknowledge that he called her a whore, upon condition that the defendant prove that he was a disorderly person.

Jan van Aken, appearing before the court, says that he heard Jannetien say: "I called Jan Hendricksen Bruyn a disorderly person and a rogue."

The court, having heard the parties and the affidavits and the oral report of Jan van Aken condemn the defendant for her abusive language to pay a fine of two pounds Flemish for the benefit of the poor.

Jan Anderiesen Kuyper, plaintiff, against
Default Jan Jansen Ouderkerck, defendant.
Anderies de Vosch, plaintiff, against
Default Wynandt Gerritsen, defendant.

[222] Anderies de Vosch, plaintiff, appearing in court, requests by virtue of the judgment which he has against Jan van Breemen a warrant to levy on the property of Jan van Breemen which he attached in the hands of Eldert Gerbersen such sum as appears from the judgment, with the costs, which will serve Eldert Gerbersen as evidence of due payment.

The honorable court orders Jan van Breemen to pay according to the judgment and in default thereof that the petitioner shall cause Eldert Gerbersen to be cited before his competent judges and shall request the said judges to order Eldert Gerbersen to turn over to the petitioner the money in his hands belonging to Jan van Breemen, to satisfy his claim.

Carsten Claesen, plaintiff, against Cornelis Theunesen Bosch, defendant.

The plaintiff demands of the defendant payment of nine beavers, arising from the balance of payment for the purchase of a house.

The defendant says that he refuses to pay, except by order of the court.

The honorable court orders that the parties, upon rendering accounts, shall receive satisfaction, which is to take place on the next court day.

[223] Willem Telier, plaintiff, against Evert Nolden, defendant.

The plaintiff demands of the defendant payment of fl.72 in seawan, being the balance due for a hogshead of French wine bought at the time when he was in partnership with Hendrick Bierman.

The defendant says that he paid his share thereof.

The honorable court orders the defendant to pay the plaintiff

the sum demanded and to recover the amount on the joint account which they had with each other.

Carsten Claesen, plaintiff, against
Default Willem Brouwer, defendant.

Claes Beever, plaintiff, against
Default Hend[rick], the confectioner, defendant.

The curators of the estate of Harmen Jacobsen, deceased, plaintiffs, against
Default Willem Bout and Femmetien Albers, defendants.

Anderies Herpertsen, plaintiff, against
Default Jochem Kitteleyn, defendant.

The plaintiff gives notice of a certain attachment in the sum of the number of two beavers on the money of the defendant in the hands of Jan Mangelsen.

The honorable court provisionally declares the attachment valid.

[224] Ordinary Session held in Fort Orange, December 21, 1660

Present:

La Montagne	Frans Baerentsen Pastoor
Anderies Herpertsen	Jan Ver Beeck
Rutger Jacobsen	Evert Jansen Wendel

The curators of Harmen Jacobsen, deceased, plaintiffs, against Adriaen Jansen from Leyden, defendant.

The plaintiffs demand payment of fl.15:15 for excise and five beavers for an anker of Spanish wine, according to the book of the said Harmen Jacobsen, deceased.

The defendant denies the debt and says that he settled with and paid Harmen Jacobsen, deceased, and offers to declare the same under oath.

The oath being taken by the defendant, the plaintiffs' request is dismissed.

Idem, plaintiffs, against
Default Hendrick Gerritsen and Theunes Slingerlant, defendants.

Idem, plaintiffs, against Femmetien, the bakeress, defendant.

The plaintiffs demand of the defendant as above, according to the book of Harmen Bamboes, deceased, the sum of fl.392:6:–

The defendant says that she completely settled with and paid Bamboes, deceased, with the rent of her house.

The honorable court orders the defendant to exhibit a detailed account on the next court day.

[225] Idem, plaintiffs, against Jochim Kitteleyn, defendant.

The plaintiffs demand of the defendant payment of two hundred and eighteen guilders according to the book of Harmen Jacobsen, deceased.

The defendant says that he paid all but about fl.20.

The honorable court orders the defendant to produce on the next court day a specified account of his payment.

Albert Gysbersen, plaintiff, against Maria Goosens, defendant.

The plaintiff demands reparation of honor for slander, to wit, because the defendant said that he had stolen a chest with goods at the Manhattans.

The defendant denies that she said this and declares that she has nothing to say against the plaintiff's honor or virtue, although the plaintiff called her a whore.

The honorable court, having heard the parties and seeing that the defendant can not prove her accusations against the plaintiff and declares that she has nothing to say against the plaintiff, condemn the defendant for her abuse to pay a fine of six guilders for the benefit of the poor and the costs of the trial, forbidding her to utter such slander again, on pain of greater fine.

The honorable magistrates, plaintiffs, against
2d default Volckien Van Hoesems, defendant.

[226] Carsten Claesen, plaintiff, against
2d default Willem Brouwer, defendant.

Willem Boudt, plaintiff, against
2d default Evert Nolden, defendant.

Grietien Michielsen, plaintiff, against Claes van den Bergh, defendant.

The plaintiff demands of the defendant payment of fl.[ ].

The defendant admits the debt.

The honorable court orders the defendant to pay the plaintiff the sum demanded cash.

Lowies Coobesen, court messenger, plaintiff, against Wynandt Gerritsen, defendant.

The plaintiff demands of the defendant payment of fl.42, on account of expenses incurred in the suit between the defendant and the widow of Abraham Vosburgen, deceased.

The honorable court, having examined the plaintiff's account and finding the same correct, condemn the defendant to pay the plaintiff the sum of fl.42 demanded within the space of 14 days.

Hendrick, the confectioner, plaintiff, against Claes Beever, defendant.

The plaintiff demands delivery of a brew-kettle, which he bought of the defendant.

The defendant denies that he sold a brew-kettle to the plaintiff.

The honorable court orders the plaintiff to prove on the next court day that he bought a brew-kettle of the defendant.

[227] Lyntie Adamsen,[1] plaintiff, against Engeltie Hendricksen, defendant.

The plaintiff says and complains that the defendant beat her and called her a whore, producing an affidavit to that effect.

The defendant denies it and says that she has nothing to say against the plaintiff that is inconsistent with honor and virtue.

The honorable court, having heard the parties, seeing that the defendant can not prove the plaintiff to be such, that she denies having said it and that she knows nothing of the plaintiff but what is all honor and virtue, condemns the defendant for her

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[1]Apparently a daughter of Adam Roelantsen, the first schoolmaster of New Netherland, by his second wife, Lyntie Martens.

abusive language to pay a fine of two Flemish pounds and the costs of the suit, forbidding her to use such language again.

Anderies Herpertsen, plaintiff, against Jochem Kittelheym, defendant.

The plaintiff demands of the defendant two beavers, which he attached in the hands of Jan Mangelsen.

The defendant admits the debt.

The honorable court gives judgment against the defendant according to his confession and orders the plaintiff to levy the beavers on the goods of Jan Mangelsen.

Jochem Kittelheym, plaintiff, against

Default Baltus Jacobsen, defendant.

Ryck Claesen, plaintiff, against

Default Jochem Wessels, defendant.

[228] Teunes Spitsbergen, plaintiff, against Rutger Jacobsen, defendant.

The plaintiff demands of the defendant payment of thirty [ ] beavers and the interest thereof for the period of five years.

The defendant admits that he owes twenty-seven beavers. As to the interest, he says that this was not stipulated.

The honorable courts orders the parties to exhibit their specified accounts on the next court day to arrive at a settlement.

[229] Ordinary Session held in Fort Orange, December 28 Anno 1660

Present:

La Montagne	Sander Leend[ersen]
Anderies Herpert[sen]	Frans Barentsen Pastoor
Jan Verbeeck	Evert Jansen Wendel

Carsten Claesen, plaintiff, against Willem Brouwer, defendant.

The plaintiff demands of the defendant payment of thirteen guilders and ten stivers in seawan.

The defendant failing to appear for the third time is by the honorable court declared in default and by virtue thereof condemned to pay the plaintiff the sum demanded.

Baltus Jacobsen, plaintiff, against Pieter Riverdinck, defendant.

The plaintiff demands of the defendant an account and final settlement of their partnership as regards merchandising.

The defendant presents an account.

The honorable court refers the parties to referees to be chosen by them respectively.

Lowies Coobesen, plaintiff, against Baltus Jacobsen, defendant.

The plaintiff demands of the defendant payment of fl.22:2 for fees according to his account.

The honorable court, having examined the account of the plaintiff, being court messenger, and finding the same to be honest and correct, condemn the defendant to pay the plaintiff the sum demanded cash.

[230] Lowies Coobesen, court messenger, plaintiff, against Lambert van Neck, defendant.

The plaintiff demands of the defendant payment of seven guilders and twelve stivers for fees earned.

The honorable court, having examined the plaintiff's account, order the defendant to pay the plaintiff the sum demanded cash.

The honorable magistrates, plaintiffs, against
2d default Volckien van Hoesems, defendant.

Theunes Spitsbergen, plaintiff, against
Default Rutger Jacobsen, defendant.

Ryck Claesen, plaintiff, against
2d default Jochem Wessels, defendant.

Pieter Adriaensen, plaintiff, against Gregorius Bisschop, defendant.

The plaintiff demands of the defendant payment of fifty-one [guilders], arising from tavern debts.

The defendant maintains that he owes but thirty-one [guilders]

The honorable court condemns the defendant to pay the plaintiff fl.25 according to the ordinance and orders that upon his giving security he may remove his tobacco which the plaintiff had caused to be attached. Frans Baerentsen becomes surety for the payment of fl.25.

[231] Anthony Jansen, plaintiff, against Gregory Bisschop, defendant.

The plaintiff demands payment of thirty-one guilders on account of tavern expenses.

The defendant admits the debt.

The honorable court condemns the defendant to pay the plaintiff the sum of fl.25 according to the ordinance.

Whereas Claes vanden Bergh at the request of Theunes Jacobsen has presented a petition to be beer carrier with him, the honorable court has thought fit to grant the petitioner's request, as the service can not be taken care of by one man. Whereupon the petitioner has taken the following oath of fidelity before the honorable court, to wit: That without favor or gain he will commit no fraud, but in everything faithfully perform his service. So help him God Almighty.

[232] Extraordinary Session held in Fort Orange, December 30 Anno 1660

Present:

La Montagne	Jan Ver Beeck
Anderies Herpertsen	Frans Baerentsen Pastoor
Rutger Jacobsen	Evert Jansen Wendel

Sander Leendersen

Johannes La Montagne, in his capacity of officer, plaintiff, against Jurriaen Theunesen, tavernkeeper, defendant.

The plaintiff says and complains that the defendant, contrary to the ordinances and placards of the honorable director general and council of New Netherland, has ventured at night, after the ringing of the bell, to entertain guests and serve drinks, on

account of which the plaintiff has fined the defendant, having found afterwards that 20 persons were present. He asks therefore that the defendant, according to the ordinance, be condemned to pay a fine of 6 guilders for each person that was present.

The defendant says that he was not at home, but that it happened through the servant.

The honorable court, having heard the parties, find after mature deliberation that the defendant is guilty of the deed and condemn him to pay a fine of fl.70 in the space of twenty-four hours.

[233] Idem, plaintiff, against Marceles Jansen, defendant.

The plaintiff says and complains that the defendant, contrary to the ordinances and placards of the honorable director general and council of New Netherland, has ventured at night, after the ringing of the bell, to entertain guests and to serve drinks, on account of which he was fined by the court messenger (who came by order of the honorable plaintiff), to whom the defendant said: "I shall tap the entire night, in spite of Montagne." He asks therefore that the defendant be fined according to the ordinance and in addition be ordered to pay a fine of fl.50 for his insolent remarks.

The defendant pleads not guilty.

The plaintiff produces the report of the court messenger and in addition four witnesses, who declare that they heard it.

The honorable court, having heard the parties and also examined the report of the court messenger and heard the verbal testimony of the four witnesses, condemn the defendant to pay a fine of fl.70 and furthermore a fine of fl.50 for his insolent remarks.

[End]

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